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CONFERENCE OF THE COMMITTEE ON DISARMAMENT

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REPORT TO THE UNITED NATIONS GENERAL ASSEMBLY AND TO THE UNITED NATIONS DISARMAMENT COMMISSION

INTRODUCTION

1. The Conference of the Committee on Disarmament submits to the United Nations General Assembly and the United Nations Disarmament Commission a progress report on the Committee's deliberations on all questions before it for the period 17 February to 3 September 1976, together with the pertinent documents and records.

2. This report includes an account of the organization of the Conference (Part I) and of the Committee's work during 1976 based on its agenda, as well as on the recommendations contained in the relevant resolutions of the General Assembly (Part II).

3. A special report on the question of a draft convention on the prohibition of military or any other hostile use of environmental modification techniques, pursuant to General Assembly resolution 3475 (XXX), is submitted as Part III of this document.

I. ORGANIZATION OF THE CONFERENCE

A. Procedural arrangements

4. The Conference was in session from 17 February to 22 April and from 22 June to 3 September 1976. During this period, the Committee held 40 formal plenary meetings at which members set forth their Government's views and recommendations for progress on the questions before the Committee.

5. The Committee also held 58 informal meetings without records on various subjects, including organization of work, cessation of nuclear-weapon tests, prohibition of chemical weapons, prohibition of new types of weapons of mass destruction and new systems of such weapons, and prohibition of military or any hostile use of environmental modification techniques.

6. In addition, members of the Committee met frequently for informal multilateral consultations on disarmament questions of common interest.

7. Pursuant to the decision taken by the Committee in 1975, that in the future it would discuss the organization of its work each year at the beginning of the session and thereafter as the need arose, the Committee held six informal meetings on organization of work during the period from 17 February to 22 April 1976. It also discussed some general aspects of the subject in plenary meetings, during the same period (see separate section on this subject, paras. 247 to 271).

8. As a result of these discussions, the Committee, at its 708th meeting on 1 July 1976, took a decision concerning certain procedural aspects of the Committee's work, as follows:

"I. Certain Procedural Aspects of the Committee's Work for 1976

"A. Preparation of the report

1. The draft report should be prepared by the Secretariat.

2. The draft should be made available to all members of the Conference of the Committee on Disarmament (CCD) at least two weeks before the scheduled date for the closure of the summer session. (It should be updated at the end of the succeeding week).

3. The draft should contain:

(a) The provisional agenda as adopted on 15 August 1968;
(b) A summary of specific requests addressed to the CCD by the United Nations General Assembly at its preceding regular session;
(c) Sectional headings in accordance with items comprised in (a) and (b) above and other matters raised in the Committee during the year;
(d) Significant views expressed by delegations under each item including their analysis, if any, of the issues discussed. (If more than one delegation has made the same point the fact should be clearly stated).
(e) Conclusions and decisions, if any, adopted by consensus;
(f) The same kind of index as appeared in the 1975 report. (The subject headings may need to be changed from time to time);
(g) Working papers and proposals submitted during the year;
(h) PVs of the meetings held during the year should be available in New York to delegations of States Members of the United Nations as a separate annex of the report.

4. The Committee will consider the draft report during the final week of its summer session. Delegations wishing to make statements on matters of substance during that week, and wishing reference to the statements to be included in the report, should provide very brief summaries for this purpose.

5. The report should be circulated in New York to all delegations of States Members of the United Nations by 1 October.

"B. Organization of work

The Committee agrees to establish, for 1976, a working group of the CCD, for the purpose of considering any modifications of the identical texts of a draft convention on the prohibition of military or any other hostile use of environmental modification techniques, submitted by the delegations of the Soviet Union and the United States as CCD/471 and CCD/472 respectively, that any delegation may propose and of facilitating the negotiation of the text of an agreement.

The chairmanship of the working group will rotate at each meeting in the same manner as in the CCD. The meetings of the working group will be on an informal basis and will be scheduled so as to avoid conflicting or otherwise interfering with the regular or informal meetings of the CCD. The level of representation in the working group will be determined by each delegation. The working group, on a periodic basis, will issue whatever reports to the CCD are deemed necessary. The Committee requests that the Secretariat provide assistance to the working group as necessary, including the preparation of unofficial summaries of the working group's proceedings.

The CCD will take any other decisions that may be necessary regarding the organization and procedures of the working group.

"C. Communiqué of the meeting

The communiqué should be made in such a way as to reflect more substantially the proceedings of the CCD plenary meetings.

It should contain information in respect to the consecutive number of the plenary meeting held, and the chairmanship of the day.

The communiqué should enumerate the names of the representatives of the countries who made statements, the topics covered by them as also proposals or working papers submitted to the Committee.

It should also contain information in respect to the Committee's decisions concerning its schedule of work, convening of formal, informal, or other meetings.

"II. Organization of Work for 1977

The Committee agrees that, at the beginning of its 1977 session, it will determine appropriate working arrangements for considering the issues before it. The work of the Committee will continue to be conducted in plenary meetings and through any additional arrangements agreed by the Committee, such as decisions to convene or establish subsidiary bodies or to hold special plenary meetings, informal meetings, or informal meetings with experts". (The understanding was also recorded that the words "subsidiary bodies" did not in any way imply a restricted membership).

9. At its 714th plenary meeting, on 22 July 1976, the Committee decided to establish an Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events. The text of the decision was as follows:

"The Conference of the Committee on Disarmament, having considered the proposal made by the delegation of Sweden at its 704th plenary meeting on 22 April 1976, agrees to establish, under its auspices, an Ad Hoc Group of Scientific Experts to consider international co-operative measures to detect and identify seismic events.

"Membership in the Ad Hoc Group will be open to scientific experts nominated by any CCD member State. In order to enable the Group to draw on expertise of other States, membership in the Ad Hoc Group will also be open to scientific experts nominated by States Members of the United Nations that are not represented in the CCD, upon invitation of the CCD. By nominating experts to participate in the Group, States do not commit themselves to the adequacy of the international co-operative measures studied.

"The Ad Hoc Group will hold its first meeting during the week beginning 2 August. The CCD requests that the Group submit a progress report to the CCD before the end of the 1976 session.

"The CCD decides that the Group shall elect its own Chairman. It further decides that the Group should seek to achieve consensus in its reports and that, whenever consensus cannot be achieved, each expert will be entitled to incorporate his own view.

"The Group should carry out its work on an informal basis, with unofficial working papers and proceedings, as deemed necessary. The report of the Group to the CCD will be prepared on a formal basis.

"The CCD requests that the Secretariat undertake to provide the Group with the necessary assistance and services.

"The CCD decides that the Group will be guided by the following terms of reference:

"For the purpose of carrying out this investigation the Group should specify the characteristics of an international monitoring system including inter alia

(1) A global network of seismological stations, selected from existing and planned installations;

(2) Data required from the stations to facilitate the analysis for detecting, locating and identifying seismic events;

(3) Transmission facilities for the timely exchange of data between seismological stations and data centres;

(4) Facilities, procedures and related financial implications with respect to contributing and receiving centres for detecting, locating and identifying seismic events throughout the world and facilitating the collation and dissemination of relevant documentation;

(5) The costs which would be incurred if an international monitoring system were established.

"In addition to the items listed above, the Group would endeavour to estimate the detection and identification capability of such an international co-operative system. The estimates would be on the basis of available data or, where desirable and feasible, also on the basis of data obtained from experimental exercises involving the whole or part of the specified global network. The Group should not, however, assess the adequacy of such a system for verifying a comprehensive test ban. Rather it should provide factual results of its analysis for the benefit of Governments to assist them in making such an assessment and in directing future research. The responsibility of the Group would be purely scientific."

10. The Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events held 6 informal meetings, between 2 and 6 August 1976, on which date it submitted its first progress report to the Committee (CCD/513). Seismic experts and representatives from the following member States participated in its work: Canada, Egypt, the Federal Republic of Germany, India, Italy, Japan, the Netherlands, Nigeria, Romania, Sweden, the United Kingdom and the United States. In addition, upon their own request, the CCD invited Australia, Belgium, Denmark, Finland and Norway to participate in the work of the group through their scientific experts or representatives.

B. Participants in the Conference

11. Representatives of the following States continued their participation in the work of the Committee: Argentina, Brazil, Bulgaria, Burma, Canada, Czechoslovakia, Egypt, Ethiopia, German Democratic Republic, the Federal Republic of Germany, Hungary, India, Iran, Italy, Japan, Mexico, Mongolia, Morocco, Netherlands, Nigeria, Pakistan, Peru, Poland, Romania, Sweden, Union of Soviet Socialist Republics, United Kingdom, United States, Yugoslavia, Zaïre.

II. WORK OF THE COMMITTEE DURING 1976

12. The Committee had before it the Provisional Agenda adopted on 15 August 1968, on the recommendation of the Co-Chairman of the Conference, which reads as follows:

> "1. Further effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament.
>
> "Under this heading members may wish to discuss measures dealing with the cessation of testing, the non-use of nuclear weapons, the cessation of production of fissionable materials for weapons use, the cessation of manufacture of weapons and reduction and subsequent elimination of nuclear stockpiles, nuclear-free zones, etc.
>
> "2. Non-nuclear measures.
>
> "Under this heading, members may wish to discuss chemical and bacteriological warfare, regional arms limitations, etc.
>
> "3. Other collateral measures.
>
> "Under this heading, members may wish to discuss prevention of an arms race on the sea-bed, etc.
>
> "4. General and complete disarmament under strict and effective international control.
>
> "The Co-Chairmen note the recognized right of any delegation to raise and discuss any disarmament subject in any meeting of the Committee."

13. The Committee also had before it a letter dated 23 January 1976 from the Secretary-General of the United Nations (CCD/478), transmitting the resolutions on disarmament adopted by the General Assembly at its thirtieth session in 1975, in particular those entrusting specific responsibilities to the Conference of the Committee on Disarmament, namely:

A/RES/3465 (XXX)	"Chemical and bacteriological (biological) weapons".
A/RES/3466 (XXX)	"Urgent need for cessation of nuclear and thermonuclear tests and conclusion of a treaty designed to achieve a comprehensive test ban".

A/RES/3470 (XXX)	"Mid-term review of the Disarmament Decade".
A/RES/3475 (XXX)	"Prohibition of action to influence the environment and climate for military and other hostile purposes, which are incompatible with the maintenance of international security, human well-being and health".
A/RES/3479 (XXX)	"Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons".
A/RES/3484 A (XXX)	"General and complete disarmament".

In the same letter the Secretary-General drew attention, in particular, to the following provisions of those resolutions:

"(a) In resolution 3465 (XXX), operative paragraph 3 requests the Conference of the Committee on Disarmament to continue negotiations as a matter of high priority, taking into account the existing proposals, with a view to reaching early agreement on effective measures for the prohibition of the development, production and stockpiling of all chemical weapons and for their destruction; and operative paragraph 7 requests the Conference to report on the results of its negotiations to the General Assembly at its thirty-first session;

(b) In resolution 3466 (XXX), operative paragraph 7 urges the Conference of the Committee on Disarmament to give the highest priority to the conclusion of a comprehensive test ban agreement and to report to the General Assembly at its thirty-first session of the progress achieved;

(c) In resolution 3470 (XXX), operative paragraph 6 invites the Conference of the Committee on Disarmament to review the work done in the implementation of the purposes and objectives of the Disarmament Decade and in this light to reappraise its tasks and duties, as necessary, in order to accelerate the pace of its efforts to negotiate truly effective disarmament and arms limitation agreements;

(d) In resolution 3475 (XXX), operative paragraph 1 requests the Conference of the Committee on Disarmament to continue negotiations, bearing in mind existing proposals and suggestions as well as relevant discussions by the General Assembly, with a view to reaching early agreement, if possible during the Committee's 1976 session, on the text of a convention on the prohibition of military or other hostile use of environmental modification techniques, and to submit a special report on the results achieved for consideration by the General Assembly at its thirty-first session;

(e) In resolution 3479 (XXX), operative paragraph 3 requests the Conference of the Committee on Disarmament to proceed as soon as possible, with the assistance of qualified governmental experts, to work out the text of an appropriate international treaty (or agreement) for the prohibition of the development and manufacture of new types of weapons of mass destruction and of new systems of such weapons and to submit a report on the results achieved for consideration by the General Assembly at its thirty-first session;

(f) In resolution 3484 A (XXX), operative paragraph 8 requests the Conference of the Committee on Disarmament to keep under review, in its consideration of an elaboration of a comprehensive test ban treaty, the arms control implications of nuclear explosions for peaceful purposes, including the possibility that such explosions could be misused to circumvent any ban on the testing of nuclear weapons."

14. All the matters dealt with in the above-mentioned resolutions of the General Assembly were considered by the Committee and are covered in this report, as follows:

A/RES/3465 (XXX)	(considered in both plenary and informal meetings with experts) - in section II.B
A/RES/3466 (XXX)	(considered in plenary and informal meetings with experts, as well as in an Ad Hoc Working Group) - in section II.A
A/RES/3470 (XXX)	(considered in plenary, in particular in three meetings devoted to the subject) - in section II.D
A/RES/3475 (XXX)	(considered in plenary and informal meetings with experts, as well as in an Ad Hoc Working Group established for the purpose) - in section III (Special Report)
A/RES/3479 (XXX)	(considered in both plenary and informal meetings with experts) - in section II.B
A/RES/3484 A (XXX)	(considered in plenary meetings) - in section II.A

15. At the opening plenary meeting of the 1976 session, the Special Representative of the Secretary-General of the United Nations conveyed to the Conference a message from the Secretary-General. In his message, the Secretary-General reminded the Committee that the United Nations General Assembly, in a resolution concerning the mid-term review of the Disarmament Decade, had invited the Conference of the Committee on Disarmament to review the progress made in implementing the objectives of the Decade and to reappraise its tasks in order to accelerate the pace of its efforts. In this connexion, he hoped that the Committee's scheduled consideration of the organization of its work would lay

the basis for new and more concrete progress, which was urgently needed in the light of the continuing arms race and world military expenditure approaching $ 300 billion a year. The Secretary-General noted that, during 1975, the results of the Conference on Security and Co-operation in Europe and the entry into force of the Convention on the Prohibition of Biological Weapons had been hopeful events in the sphere of security and disarmament and that the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons in May 1975 had confirmed the commitment of the parties to achieve full implementation of that Treaty.

16. The Secretary-General also stressed that the highest priority continued to be attached to the question of nuclear disarmament within global, regional and bilateral negotiations. He also emphasized again the supreme importance of an early cessation of all nuclear-weapon tests, stated that he shared the deep concern of the General Assembly about the continued lack of progress towards the achievement of this essential objective, reiterated his conviction that the risks of continuing nuclear weapon tests were far greater than the risks involved in any tests that might conceivably go undetected or unverified, and recalled that the General Assembly had urged the Conference of the Committee on Disarmament to give the highest priority to the conclusion of a comprehensive test ban.

17. The Secretary-General also urged the early achievement of a complete ban on all chemical weapons along the lines of the joint initiative announced by the United States and the Soviet Union in July 1974. He hoped that the Committee could work out during its 1976 session a broadly acceptable agreement to prohibit the use of environmental modification techniques for hostile purposes and make progress towards a ban on the production of new types of weapons of mass destruction and new systems of such weapons.

18. Members of the Committee were assisted in their examination and analysis of possible disarmament measures by working papers and other documents that were submitted to the Committee (annexes B and C) and the plenary statements of the Committee members (annex D). An index by country and subject of plenary statements made by Committee members in 1976 is also attached (annex E).

A. Further effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament

19. Members of the Committee continued their work in 1976 on questions relating to the cessation of the nuclear arms race and nuclear disarmament. Virtually all members stressed the need for early and substantial progress towards these goals, including in particular the cessation of all nuclear weapon tests.

20. The delegation of Mexico stressed the threat posed by the vast nuclear arsenals of the two major nuclear Powers and the alarm aroused by their constant quantitative and, above all, qualitative development (CCD/PV.688).

21. The Soviet delegation pointed out that the Soviet Union considered the cessation of the nuclear arms race and the elimination of the threat of nuclear war to be one of the major tasks in the field of disarmament. For the solution of that problem, the complete and general prohibition of nuclear weapon tests was of great importance. With that objective in mind, the Soviet Union had drawn up a draft international treaty to that effect and submitted it to the United Nations General Assembly at its thirtieth session. The proposal of the Soviet Union envisaged that all the nuclear Powers must inevitably become Parties to the Treaty. However, owing to the negative position adopted by some nuclear Powers, negotiations on the preparation of such a treaty could not start on the date specified by the United Nations General Assembly. The conclusion of an international treaty outlawing nuclear weapon tests would radically curtail possibilities of perfecting such weapons, the delegation held, and would thereby make a major contribution to curbing the arms race. It was the duty of all States to work out and conclude such a treaty as soon as possible (CCD/PV.705).

22. The delegation of Romania held that disarmament and, in the first instance, disarmament in the nuclear field, had become the major problem of international life and should be given top priority in the Committee. The measures envisaged by Romania within that framework were: (a) a formal undertaking by all States not to use nuclear weapons; (b) the banning of the introduction of new nuclear weapons in the territory of other States; (c) the withdrawal of nuclear weapons from the territory of other States; (d) the cessation of development, testing and production of nuclear arms and the means of their delivery; (e) the cessation of the production of fissionable material for military purposes, the use of existing material for peaceful purposes, and the transfer of a part of such materials to be used by all States in the context of broad international co-operation; (f) the reduction and complete destruction of all nuclear weapons and the means of their delivery and (g) the total banning of nuclear weapons. These measures should be taken under effective control, Romania added, and with the participation of nuclear-weapon States as well as non-nuclear-weapon States (CCD/PV.691). Romania further stated that the real measure of the Committee's success was the degree to which the disarmament agreements achieved by it contributed to a reduction of the arms race, particularly of the nuclear arms race (CCD/PV.712).

23. Mexico (CCD/PV.688), Sweden (CCD/PV.689), Japan (CCD/PV.692), Canada (CCD/PV.699) and India (CCD/PV.715) also held that the question of nuclear disarmament should be given the highest priority and urged the nuclear-weapon States to make greater efforts in this direction. India stressed that the Committee should not be sidetracked into issues which, while important in themselves, paled into insignificance when compared to the nuclear arms race. The delegation of India went on to suggest that the first steps towards the desired goal were a cessation of the production of fissile material for weapons purposes combined with a ban on production of nuclear weapons, as well as a comprehensive test ban. The Netherlands noted that progress in nuclear disarmament was slow and not always meaningful, in view of the development of new and sophisticated weaponry that blurred the distinction between nuclear and conventional warfare and could not be restricted because of verification and definition problems (CCD/PV.692).

24. The delegation of Bulgaria stressed the view that one of the main factors still hindering progress toward the halting of the arms race was the refusal of certain nuclear-weapon States to take part in any of the negotiations that were taking place or being proposed in this area. The adherence of these States to the already-existing international instruments, such as the Non-Proliferation Treaty, the Partial Test Ban Treaty and others, as well as their participation and co-operation in common endeavours aimed at the elimination of the nuclear threat, were essential for the achievement of decisive progress towards the settlement of this crucial problem (CCD/PV.694).

25. The delegation of Hungary stressed the particular importance of nuclear disarmament but maintained that the Committee must not lessen its efforts to achieve other measures of arms limitation and disarmament. Parallel efforts on various disarmament issues ready for solution did not hinder general progress, the delegation maintained, and there was no guarantee that, by neglecting preventive and collateral measures of disarmament, the Committee could facilitate progress on issues considered as having priority (CCD/PV.721).

26. With particular regard to the Strategic Arms Limitation Talks (SALT), the delegation of Mexico, recalling the General Assembly resolution regretting the absence of positive results from the talks during the past two years and urging the United States and the Soviet Union to broaden the scope of their talks, stressed that it was important for the Committee to be kept informed of the progress of the talks and hoped that the two Powers could act accordingly (CCD/PV.688).

27. The delegations of Poland (CCD/PV.692), Bulgaria (CCD/PV.694), Mongolia (CCD/PV.694) and the German Democratic Republic (CCD/PV.698) expressed the view that these talks must be considered decisive in the international efforts to check the arms race and that early conclusion of the present negotiations was important. The delegation of the United Kingdom expressed the hope that a SALT II agreement would be reached and that nuclear arsenals would be substantially reduced in a SALT III agreement (CCD/PV.703). Italy stressed the importance of the talks and hoped further progress could be achieved (CCD/PV.714).

28. The delegation of Sweden appreciated that the United States and the Soviet Union were engaged in a process of negotiation, but expressed increasing concern at the lack of real progress. Ceilings had been set which had permitted further quantitative expansion and the qualitative arms race had continued unabated, the delegation maintained; the world had a right to be kept informed of the progress at SALT because this affected world security (CCD/PV.689).

29. The delegation of Nigeria held that the Vladivostok accord confirmed the belief that the bilateralism of the United States and the Soviet Union was not only inconsistent with the realities of the world, but incompatible with an international order based on the principles of the United Nations Charter. The accord, the delegation maintained, guaranteed that the dangerous arms race would continue unabated and that the Committee on Disarmament would direct its energies to marginal collateral measures of low priority and to new and exotic measures of non-armament unrelated to its programme of work (CCD/PV.693).

30. The delegation of the Soviet Union stressed the view that the bilateral agreements concluded between the USSR and the United States over the past five years were of great importance. These included the Treaty on the Limitation of Anti-Ballistic Missile Systems, the Interim Agreement on Certain Measures with Respect to the Limitation of Strategic Offensive Arms, the Treaty on the Limitation of Underground Nuclear Weapon Tests, the Agreement on the Prevention of Nuclear War and, finally, the Treaty on Underground Nuclear Explosions for Peaceful Purposes. These Soviet-United States agreements not only defined relations between the two Powers on the basis of the principles of peaceful co-existence, the delegation added but, also constituted an important contribution to the strengthening of international détente, to the elimination of the threat of a global nuclear missile conflict and to the curbing of the arms race (CCD/PV.715).

31. The delegation of the United States also referred to the notable progress towards disarmament that had been achieved outside the Committee. The Strategic Arms Limitation Talks (SALT) between the United States and the Soviet Union, which began in 1969, had already led to agreements on the limitation of anti-ballistic missile systems and to the Interim Agreement on Certain Measures with respect to the Limitation of Strategic Offensive Arms. In November 1974, the United States and the Soviet Union had also reached agreement on principles that had formed the basis of ongoing negotiations on a new agreement to limit strategic offensive arms through 1985. These principles had also set a foundation for future measures for the reduction of strategic arms (CCD/PV.714).

Question of a comprehensive test ban agreement

32. In its resolution 3466 (XXX), the General Assembly requested the Committee to give the highest priority to the conclusion of a comprehensive nuclear weapon test ban agreement (CTB) and to report to the General Assembly at its thirty-first session on the progress achieved. Having in mind the request of the General Assembly, members of the Committee, during 1976, continued to address the question of a treaty banning underground nuclear weapon tests.

33. Most delegations addressing the subject called for the early achievement of such a comprehensive agreement, which would put an end to the testing of nuclear weapons underground. Some also stressed the importance of universal adherence to the Partial Test Ban Treaty of 1963 banning such tests in the atmosphere, under water and in outer space, and held that, to be truly comprehensive, a test ban treaty must prohibit tests in all environments by all nations. A number of delegations, including Mexico (CCD/PV.688 and 724), Sweden (CCD/PV.689 and 716), Japan (CCD/PV.692), the Netherlands (CCD/PV.692 and 717), Nigeria (CCD/PV.693), Canada (CCD/PV.699) and Italy (CCD/PV.714) specifically stressed the priority of the question of a comprehensive test ban on the Committee's agenda, while Hungary (CCD/PV.693), Mongolia (CCD/PV.694), the Federal Republic of Germany (CCD/PV.696), the United States (CCD/PV.704), Japan (CCD/PV.705), the USSR (CCD/PV.705), Iran (CCD/PV.706) and the United Kingdom (CCD/PV.708), stressed the need for continued efforts of the Committee towards this important goal. The delegation of Mongolia also pointed out that China had ignored the universally recognized principles and provisions of the Partial Test Ban Treaty and persisted in conducting atmospheric nuclear tests.

34. Mexico recalled that the General Assembly had used unequivocal language in General Assembly resolution 3466 (XXX) and had urged the Committee to give highest priority to the conclusion of such a ban. The delegation held that the prevailing conditions for achieving a treaty were more favourable this year than in previous years, since the Committee would be able to use the Swedish draft treaty (CCD/348) and the draft treaty of the USSR (annexed to General Assembly resolution 3478 (XXX)), as well as to bear in mind the draft additional protocol to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) submitted by a considerable number of Parties to that Treaty, whereby the nuclear-weapon States parties to the NPT would agree to a moratorium, which could in due course become a comprehensive test ban (CCD/PV.688).

35. The delegation of Sweden also stressed that it was high time finally to come to grips with remaining problems involved in such a ban. There was no reason, it held, for the leading nuclear-weapon States to delay such an agreement, and they should be asked whether further tests were really considered necessary to maintain the present strategic balance and to preserve their overwhelming nuclear superiority (CCD/PV.689 and 716).

36. The delegation of the Netherlands, stressing the view that a comprehensive test ban was long overdue, held that it was still of major importance to curb the further development of nuclear weapons, to demonstrate the sincerity of the proclaimed will of the Soviet Union and the United States to halt the arms race, and to ensure the long-term viability of the Non-Proliferation Treaty (CCD/PV.717).

37. Similar views were also expressed by the delegations of Iran (CCD/PV.690), Nigeria (CCD/PV.693) and Yugoslavia (CCD/PV.697).

38. The delegation of the Soviet Union noted that its proposal for the complete and general prohibition of nuclear tests had been submitted by the General Assembly to a special negotiating body (see paragraphs 100-103). It held, however, that the CCD should continue its examination of the problem to facilitate progress in its solution, which would be a major step towards halting the nuclear arms race (CCD/PV.688).

39. The delegation of Poland noted that the United Nations Secretary-General, in his 1976 message to the Conference, had commented on the importance of an early cessation of all nuclear tests. It stressed that while the Partial Test Ban Treaty of 1963 was important, it was now imperative to seek a global solution. The new proposal of the USSR in the field, the delegation held, was a continuation of the constant quest of the socialist countries for such a comprehensive approach to the question (CCD/PV.692).

40. A number of members noted the link between a comprehensive test ban and nuclear disarmament in general. Bulgaria stated that the prevention of the further spread of nuclear weapons and the total prohibition of all nuclear weapon tests remained essential conditions for the cessation of the nuclear arms race (CCD/PV.694 and 708), and similar views were expressed by Hungary (CCD/PV.693), the German Democratic Republic (CCD/PV.709) and Mongolia (CCD/PV.712). Mexico (CCD/PV.688), Japan (CCD/PV.692), Nigeria (CCD/PV.693), the Federal Republic of Germany (CCD/PV.696), Sweden (CCD/PV.697 and 716), Yugoslavia (CCD/PV.697) and India (CCD/PV.715) also stressed the importance of a comprehensive test ban as a first step towards nuclear disarmament.

41. There were also a number of comments on the relationship between a comprehensive test ban and the NPT. Sweden held that a comprehensive ban was one of three measures necessary to reserve the use of nuclear energy solely for peaceful purposes and stop nuclear weapons proliferation - perhaps the most necessary measure (CCD/PV.689 and 716); the delegation of Czechoslovakia stressed the general relationship between a comprehensive test ban and the NPT (CCD/PV.695); Canada stressed the importance of such a ban with particular reference to the Final Declaration of the NPT Review Conference (CCD/PV.699); Iran held that a comprehensive ban was necessary to meet requirements under the NPT (CCD/PV.706); and Nigeria believed that such a ban would be of vital importance for strengthening the non-proliferation régime (CCD/PV.713).

42. Several delegations expressed views on the question of participation in a comprehensive test ban agreement.

43. The delegation of the Soviet Union noted that the draft agreement on the complete and general prohibition of nuclear weapon tests, introduced by the Soviet Union for the consideration of the thirtieth session of the General Assembly, provided for the prohibition of test explosions of nuclear weapons in all environments - in the atmosphere, in outer space, under water and underground. This obligation must be assumed, first of all, by the States advanced in science, technology and industry and, of course, by all the nuclear Powers. It was only with the participation of all the nuclear States, the delegation held, that the complete and general prohibition of nuclear weapon tests could be accomplished. In this connexion the delegation opposed the proposals made earlier at different international forums that only some, but not all, nuclear-weapon States should unilaterally declare a moratorium on nuclear tests or suspend such tests altogether. Such steps, it held, would create unilateral advantages for some States to the detriment of others, were proposed in violation of

the principle of ensuring security for all parties to any disarmament agreement and would not contribute to the strengthening of international peace and the security of States (CCD/PV.688).

44. The delegation of Mexico stated that if the two major nuclear Powers were to agree on a comprehensive test ban, this would in no way endanger their security (CCD/PV.688).

45. The delegation of Sweden stressed the view that although universal adherence to a comprehensive test ban was a most desirable goal, it was up to the USSR and the United States, which possessed a vast superiority in nuclear arsenals, to be the first to start the implementation of such a ban if any progress was to be achieved. By taking such a step, the delegation maintained, the two Powers would not expose themselves to any risks as far as their military security was concerned, while the security of the world at large would be considerably improved (CCD/PV.689).

46. The delegation of Yugoslavia, while recognizing the soundness of the principle that disarmament measures should be carried out without detriment to anyone's security, could not accept the argument that, if the United States and the Soviet Union took the first step by signing a comprehensive test ban, this would result in unilateral advantages for some States to the detriment of others and might thereby increase the danger of nuclear war (CCD/PV.697).

47. The delegation of Canada also held that a comprehensive test ban should not have to await the participation of all nuclear-weapon States but should be open to all States. The agreement could be of an interim nature - not a moratorium, but a formal agreement, if necessary of some qualified duration. Holding strictly to the position that such a treaty, from its first days, must have the adherence of all nuclear Powers the delegation further maintained, left everybody at the mercy of any nuclear Power which did not wish to participate. An interim agreement would put considerable pressure on non-adhering States to stop testing, without endangering the security of the major nuclear Powers (CCD/PV.703).

48. Similarly, the delegations of Japan (CCD/PV.692) and Iran (CCD/PV.706) held that the adherence of all nuclear-weapon Powers to a comprehensive ban should not be a precondition for agreement.

49. The delegations of Hungary (CCD/PV.693) and the Soviet Union (CCD/PV.695) continued to stress that it was doubtful, in the light of the experience of the thirteen years since the conclusion of the Partial Test Ban Treaty, that the example of the United States and the USSR would induce the other nuclear States to accede to a treaty. The Soviet Union also pointed out that some other nuclear-weapon Powers had failed to react favourably to the bilateral Threshold Test Ban agreement, which was a further stage in the development towards a comprehensive test ban. A

number of nuclear-weapon States had also reacted negatively to the new Soviet proposal on a comprehensive test ban. Moreover, a bilateral approach could not be a comprehensive one and would create military advantages for non-participant States to the detriment of participants. A State's security interests could be safeguarded by taking into account the total balance of power, not by being ahead in some particular field. The USSR still believed that a comprehensive test ban could be achieved only when all nuclear-weapon States agreed to it, and influence should be brought to bear on those nuclear-weapon States opposing a positive solution.

50. The delegation of Hungary later (CCD/PV.721) stated that since all nuclear-weapon States, collectively and without any exception, had to take the responsibility for nuclear disarmament, only a comprehensive test ban which included all such States could be considered an efficient barrier against the nuclear arms race; no single nuclear power should be authorized, even indirectly, to continue freely to carry out nuclear explosions (CCD/PV.721).

51. The delegation of Bulgaria (CCD/PV.708) and the German Democratic Republic (CCD/PV.698 and 709) also stressed the need for the participation of all nuclear Powers in such an agreement, as well as in its negotiation. The delegation of the German Democratic Republic emphasized that the selective approach proposed by some members would actually mean not only tolerating but also legitimizing the nuclear armament of some States and encouraging them in their negative attitude towards disarmament negotiations (CCD/PV.698).

52. The delegation of the United States, while recognizing that the question of participation of all nuclear-weapon States in a comprehensive test ban would obviously have to be addressed in considering any such ban, questioned the desirability and timeliness of taking a position on the participation issue in the abstract before resolving the principal problems holding up agreement, namely verification difficulties, including the question of peaceful nuclear explosions. Once these questions were resolved, several options would be available: an agreement that would enter into force upon the adherence of all nuclear-weapon States, a limited-duration agreement not requiring adherence by all nuclear-weapon States that would provide for review and extension, and an unlimited-duration agreement not requiring adherence by all nuclear-weapon States but containing a provision for withdrawal in the event that treaty parties considered their supreme interests to be jeopardized. For its part, the United States had not made a determination whether a comprehensive test ban should require the participation of all nuclear-weapon States before it could enter into force (CCD/PV.704).

53. The question of verification for a comprehensive test ban also continued to be extensively discussed. In this connexion, a number of members, particularly Japan (CCD/PV.692), the Federal Republic of Germany (CCD/PV.696), Sweden (CCD/PV.700 and 704), and Canada (CCD/PV.703) stressed the need for improving international co-operation in seismic data exchange. At the request of the delegation of Sweden, several informal meetings were held on the general subject of verification from 20 to 22 April 1976, with the participation of 16 experts from Canada, the Federal Republic of Germany, Japan, the Netherlands, Sweden, the United Kingdom, the United States and Yugoslavia.

54. In the plenary meetings, the delegation of Sweden continued to express the view that scientific progress in the field of seismology had been such that a global monitoring system could be established to provide adequate means to deter States party to a comprehensive test ban from carrying out clandestine testing. It was possible to establish a monitoring system by which most earthquakes and explosions corresponding to a yield of about 1 kiloton could be detected, located and identified with a high degree of accuracy. The possibility of involving the United Nations in the operation of such a system should be explored, the delegation held. In 1971, it pointed out, nine non-aligned members, including Sweden, had expressed in a joint memorandum in the CCD (CCD/354) their conviction that the verification problem could be resolved on the basis of national means, i.e. remote control, supplemented and improved upon by international co-operation and procedures (CCD/PV.689).

55. In introducing two working papers on the subject (CCD/4[illegible]1 and 482), the delegation of Sweden further asserted that the papers showed that all technical verification obstacles to a comprehensive test ban seemed to have been removed. It also noted that, at the political level, the concept of mutual monitoring of arms control measures by national means had been recognized in the SALT framework and that the USSR, in its recent test ban proposal in the General Assembly, had also indicated its readiness to co-operate in an international exchange of seismic data. The control clauses of the bilateral Threshold Test Ban also showed how much easier it had become for the United States and the Soviet Union to agree on control procedures, the delegation added. It also noted that its working paper CCD/482 outlined certain co-operative international measures for monitoring a comprehensive ban, including the establishment of a network of some fifty globally distributed and highly sensitive seismological stations which could regularly send evaluated data to an international data centre (CCD/PV.700).

56. The basic Swedish view on verification was referred to favourably by the delegations of the Soviet Union (CCD/PV.688 and 695), Hungary (CCD/PV.693), Bulgaria (CCD/PV.694), Czechoslovakia (CCD/PV.695), Mongolia (CCD/PV.694) and the German Democratic Republic (CCD/PV.698), which continued to reiterate their position that national means alone, combined with the development of international co-operation in the exchange of seismic data, could ensure effective control for a comprehensive ban. The delegation of India reiterated its view that there was no excuse for delaying the conclusion of a comprehensive test ban. India noted, in this connexion, that the Indian Prime Minister had declared that the limited achievement of the Partial Test Ban Treaty had been offset by the refusal of States to halt all tests of nuclear weapons (CCD/PV.715).

57. The delegation of the United Kingdom, in submitting three working papers on the subject (CCD/486, 487 and 488) stressed that the conclusion of its studies was that present networks could detect and identify explosions down to a yield of between 3 and 50 kilotons, provided that no steps were taken to reduce the detectability of explosions; and it noted that this conclusion differed from that of the Swedish working paper CCD/482 (CCD/PV.702).

58. Japan suggested that, if a comprehensive test ban could not be expected in the near future because of the difference of positions on verification, the United States and the USSR should show their sincerity by banning underground tests above the level where verification was now possible, at the earliest possible date, as an intermediate measure leading to a comprehensive ban (CCD/PV.692). For the scheduled informal meetings, Japan tabled working paper CCD/489 on the estimation of focal depth by seismic waves.

59. Also in connexion with the informal meetings, Canada submitted a working document (CCD/490) on verification of a comprehensive test ban by seismological means, and the United States submitted a paper (CCD/491) on the general subject of verification. After the informal meetings, the United Kingdom and Japan submitted the statements of their experts at those meetings as CCD/492 and 493, respectively.

60. After the informal meetings, Sweden formally proposed the establishment of a group of scientific governmental experts, with certain specified terms of reference, to consider international co-operative measures to detect and identify seismic events (CCD/PV.704).

61. At the same meeting, Canada, Japan, the Netherlands, the United Kingdom, and the United States supported the Swedish proposal. The United States held, however, that the group's terms of reference should be carefully formulated; in particular it should

He made clear that the group's responsibilities were technical in nature and that it should not attempt to make judgements that would more appropriately be made by Governments, such as an assessment of the adequacy of a given seismic monitoring system for verifying a comprehensive test ban.

62. In supporting the Swedish proposal, the delegation of the United Kingdom held that there had been fairly general agreement by the experts that an "area of darkness", seismologically speaking, lay below seismic events of body wave magnitude of about 4.5; and it was still a matter of debate how big a nuclear explosion could be concealed within this area. The United Kingdom experts believed that in certain circumstances it could be as high as a 50 kiloton yield. Also, there was little probability that new seismological techniques were likely to be developed in the near future which would make it possible to detect and determine seismologically the nature of events within this area of darkness. Therefore, it was quite impossible to verify a comprehensive ban adequately by national means of a seismological character. On the other hand, there was a good prospect of future improvement of techniques for the national identification of seismic events above a body wave magnitude of 4.5 through fostering international co-operation in this field (CCD/PV.704).

63. The delegation of the United States, referring to its working paper CCD/491 prepared for the informal meetings, reiterated its doubts that a verification system based solely on teleseismic means could provide adequate assurance that a Party was not conducting a clandestine testing programme of military significance. There was little disagreement that, below some seismic magnitude level, verification possibilities were exceedingly limited, the delegation held, and the United States did not agree with the view that any clandestine testing that might be possible under a comprehensive ban would not be of military significance. Other methods of remote monitoring could, in principle, contribute to verification of such a ban, but the value of such methods should not be overestimated. The United States accordingly believed that adequate verification of a comprehensive ban continued to require some on-site inspection. So-called "black boxes" (unmanned seismic observatories) could lower the threshold magnitude for detection and identification, but they were not the equivalent of, and should not be regarded as a substitute for, on-site inspection. There was also the critical question of whether, under a comprehensive test ban, an adequately verifiable accommodation for peaceful nuclear explosions could be worked out.

64. In its working paper CCD/456, the United States pointed out, it had taken the view that if peaceful nuclear explosions were to be accommodated under a comprehensive ban, a verification system would have to be devised that would provide adequate assurance that weapons-related benefits were not being acquired from nuclear explosions carried out ostensibly for peaceful purposes; to achieve that objective, a control system would, at minimum, have to prevent the testing of a new weapon concept by the substitution of a stockpiled weapon for the "peaceful nuclear explosion" explosive. The United States could not agree that the two approaches suggested by Sweden in its working papers would meet the requirement of achieving adequate assurance that such benefits were not being derived from peaceful explosions. Even if it were possible to demonstrate that the device used was of a "well-known design", this would provide no assurance that the explosion was not contributing useful information to a weapons programme. In addition, detailed diagnostic measurements were not essential for deriving important weapons-related information. Further consideration was needed of the difficult question of whether, under a comprehensive test ban, an adequately verified accommodation for peaceful nuclear explosions could be achieved (CCD/PV.704).

65. The delegation of Iran was disappointed that the experts at the informal meetings had found no improvement in the threshold capacity of the seismic verification system since 1973 and noted the increasing emphasis on possible evasion techniques; it considered it essential that the nuclear Powers establish more precise criteria for an acceptable verification system.

66. Subsequently, Canada (CCD/PV.706) suggested certain changes in the terms of reference of the group of governmental experts proposed by Sweden (paragraph 60) and after expensive consultations, the Committee decided to establish such a group, as described in paragraphs 10 and 11 above. The delegation of Nigeria expressed regret that certain Nigerian suggestions to relate the work of the working group more directly to the question of a comprehensive test ban had not been taken into account in the decision; the delegation added, in this connexion, that agreement on a test ban was being blocked by a lack of political will rather than by a lack of scientific information (CCD/PV.714).

67. The delegation of Mexico expressed the hope that further technical studies would not be used to hide the lack of political will, and that technical reasons would not be adduced to delay the achievement of a comprehensive test ban (CCD/PV.714).

68. The delegation of Japan (CCD/PV.715) hoped that the results of the meetings of the expert group might also be used to reduce the 150 kiloton threshold of the bilateral Threshold Test Ban Treaty and its companion PNE Treaty and to expand these agreements into a multilateral Treaty (general comments of delegations on these agreements are summarized in paragraphs 75 to 91 below).

69. The delegation of the German Democratic Republic, while appreciating the Swedish initiative, held that there was little use in a broad discussion of technical aspects of the control of a comprehensive test ban so long as there was no readiness in principle on the part of all nuclear-weapon Powers for such an agreement; such technical activities might provoke the illusion that progress had been made in achieving a comprehensive ban and they might also weaken the necessary common efforts of all States interested in the speedy implementation of resolution 3478 (XXX) (CCD/PV.709).

70. The delegation of Sweden emphasized that the fact that the Ad Hoc Group would need some time to fulfil its duties on the technical aspects of a monitoring system did not in the least change the Swedish view that political negotiations on a comprehensive test ban would have to start without delay (CCD/PV.716).

71. After the meetings, the delegation of Sweden, in introducing the Group's progress report (CCD/513), expressed the belief that the Group had made a promising start in reaching a consolidated view on the outline of its future work and called on those members of the Committee which had not participated in the work to reconsider their position or to contribute to the work of the Group by providing the required supporting information. The delegation added the view that, while the Group would need time to fulfil its technical task, political negotiations on a comprehensive test ban should begin without delay (CCD/PV.720).

72. The delegation of the United Kingdom expressed satisfaction that the Group had approached its work by concentrating on technical matters but held that the Group must be strengthened by broader participation (CCD/PV.721). The delegation of the Netherlands also urged broader participation in the work of the Group, in particular by the socialist States members of the Committee (CCD/PV.717). The delegation of Italy also welcomed the establishment of the Group and urged Committee members to participate in it (CCD/PV.724).

73. On 2 September 1976, the Committee took the following decision with regard to the Ad Hoc Group:

> The Conference of the Committee on Disarmament, having received the first progress report of the Ad Hoc Group of scientific experts to consider international co-operative measures to detect and to identify seismic events, takes note thereof and approves, in principle, the proposed time schedule for the work of the Ad Hoc Group, subject to review in the light of its further work. The next session of the Ad Hoc Group shall, however, take place in Geneva in February 1977 in conjunction with the beginning of the next session of the CCD.

74. The delegation of Mexico recalled the repeatedly declared conviction of the General Assembly that, whatever the existing differences with regard to the question of verification of a comprehensive test ban there was no valid reason for delaying its achievement. Despite this and the almost universally accepted opinion that national means of verification would be sufficient for such a ban, the delegation noted the Committee seemed to be intent on holding informal expert meetings on questions such as international co-operation in detecting and identifying seismic phenomena. This year, the Committee had not only held informal meetings but had also set up an Ad Hoc Group of Governmental Experts on the subject, and such activities only thickened the smokescreen of technical considerations obscuring the lack of political will in the matter on the part of some nuclear-weapon States (CCD/PV.724).

75. In connexion with a comprehensive test ban, a number of delegations also commented on the bilateral United States/USSR Threshold Test Ban Treaty, and its companion agreement, the Treaty on Underground Nuclear Explosions for Peaceful Purposes (PNE Treaty) (CCD/496) and in this connexion, the delegations of Mongolia (CCD/PV.694), the United Kingdom (CCD/PV.702), Bulgaria (CCD/PV.703), Poland (CCD/PV.715) and Hungary (CCD/PV.721) expressed appreciation of the efforts made by the Soviet Union and the United States to achieve the agreements.

76. The delegation of the USSR stressed that the agreements constituted an essential step towards a comprehensive ban. By banning tests above a yield of 150 kilotons, it held, the Threshold Treaty limited the possibility of developing and perfecting the most dangerous types of nuclear weapons and also limited the number of tests to a minimum. Under the Treaty, verification must be carried out by national means, which fully ensured supervision of compliance (CCD/PV.688).

77. The delegation of Sweden, on the other hand, held that the Threshold Test Ban would be of little practical value in preventing nuclear weapons development, since most of the test explosions carried out during 1975 had had yields below that threshold. The value of a Threshold Treaty must be questioned, the delegation also maintained, as it might slow down efforts to put an end to all test explosions of nuclear weapons. Also, the delegation added, the agreement on peaceful nuclear explosions, which was to complement the Threshold Test Ban, should not provide a means for concealing tests of powerful nuclear weapons (CCD/PV.689).

78. The delegation of Japan urged the United States and the USSR to make further efforts to bring the negotiation on peaceful nuclear explosions to a successful conclusion as early as possible so that the Threshold Test Ban Treaty might come into force at an early date, and also to strive to achieve a comprehensive ban using that Treaty as a basis.

The committee could examine the possibility of expanding the Treaty into a multilateral agreement and, simultaneously, try to lower its threshold of 150 kilotons, the delegation held. Once the United States and the USSR had concluded the Threshold Test Ban Treaty, the first stage of such a multilateral agreement would have been achieved, and the committee might be able to incorporate most of the text of the Treaty into the new agreement; this agreement would adopt, in principle, the provisons of Article II of the Threshold Test Ban Treaty, while the detailed substance, as provided for in the Protocol of the Treaty, could be left, in the same way, to an additional protocol.

79. Taking into consideration that this new treaty would be a multilateral one, the delegation of Japan continued, it would be desirable to establish a verification committee, consisting of a few States including the nuclear-weapon States, and for the nuclear-weapon States to exchange through this committee the data or information referred to in the Protocol to the Threshold Test Ban. Alternatively, implementation of details such as those set forth in the Threshold Test Ban Protocol might be left to a separate agreement or agreements to be concluded among the nuclear-weapon States, as in the case of the Threshold Test Ban.

80. It was also necessary, the delegation of Japan held further, to ensure that peaceful nuclear explosions should not be used for military purposes. The fact that the bilateral negotiations carried out in accordance with Article III of the Threshold Test Ban were protracted indicated that this was not an easy question. However, failure to settle this question should not be made to serve as an excuse for delaying the bringing into force of a comprehensive test ban. From this viewpoint and in order to bring the negotiations between the United States and the USSR to an early and successful end, studies should be made, including the possibility of authorizing all peaceful nuclear explosions exclusively under international observation or of banning peaceful nuclear explosions over the threshold tentatively for a given period, for instance five years (CCD/PV.692).

81. Iran also hoped that the PNE question would not create a new obstacle to a comprehensive test ban (CCD/PV.706).

82. On 23 June 1976, the delegations of the USSR and the United States submitted a working paper containing a "Treaty between the Union of Soviet Socialist Republics and the United States of America on underground nuclear explosions for peaceful purposes", a Protocol to the Treaty and an Agreed Statement (CCD/496).

83. On 22 June, the delegation of the United States had announced the signature of the Treaty (PNE Treaty) on 28 May, thus opening the way for ratification of the Threshold Test Ban Treaty. The United States noted, in this connexion that the verification procedure of the PNE Treaty, which included provisions for seismic data exchange and on-site inspection under certain circumstances, were the most detailed ever set out in any arms control agreement (CCD/PV.705).

84. The delegation of the Soviet Union held that the PNE Treaty would undoubtedly promote the development of international co-operation in the field of the peaceful uses of nuclear energy for the benefit of all countries of the world. At the same time, it was aimed directly at curbing and limiting the arms race. Together with earlier agreements, this Treaty constituted yet another link in the chain of measures designed to achieve the goal of the complete and general cessation of nuclear tests (CCD/PV.705).

85. A number of delegations, including those of Japan (CCD/PV.705), Iran (CCD/PV.706), the United Kingdom (CCD/PV.706), Bulgaria (CCD/PV.708), the German Democratic Republic (CCD/PV.709), Mongolia (CCD/PV.712), Italy (CCD/PV.714), the Netherlands (CCD/PV.717), Czechoslovakia (CCD/PV.717) and Hungary (CCD/PV.721), specifically welcomed the signature of the new Treaty, and most of them expressed the belief that certain of its provisions ought to serve as a model for solving the problems still blocking agreement on a comprehensive test ban. Japan also reminded the Committee of its earlier suggestion that the bilateral USSR/United States Threshold Test Ban be expanded into a multilateral agreement to limit nuclear testing (CCD/PV.705). Sweden thought several of the Treaty's concepts might also have an important influence on the problems of verification of a chemical weapons ban (CCD/PV.712).

86. The delegation of the German Democratic Republic also held that the new Treaty proved that the question of peaceful nuclear explosions was no obstacle to the speedy conclusion of the treaty on a complete and general prohibition of nuclear weapon tests proposed by the Soviet Union (CCD/PV.709).

87. The delegation of Sweden also proposed a phased approach to a total prohibition based on an expansion of the Threshold Test Ban Treaty and the PNE Treaty, with an initial lowering of the threshold of permitted tests from 150 kilotons to 10 kilotons after a prescribed time delay. The further lowering of the threshold from 10 kilotons to zero, which was the range of 50 per cent of current tests, the delegation held, could be carried out after a limited period during which other measures related to the smaller nuclear weapons requiring such testing could be worked out in order to reduce the need for further testing in this range. In this connexion the delegation

reiterated its view that this last step in the phasing-out process would be as important as any other step, since continued development of tactical nuclear weapons would be as damaging to the non-proliferation regime as any other nuclear weapon development. The delegation added that it would be assumed that the Soviet Union and the United States would adhere to such a treaty before other nuclear-weapon States did so (CCD/PV.716).

88. The delegation of the Netherlands, while reiterating its disappointment that the threshold of permitted tests in the Threshold Test Ban was unduly high and its concern that this might hinder the conclusion of a comprehensive test ban, welcomed the bilateral agreement on such a complicated question and held that the means used to solve the difficult questions could well be used in negotiating future disarmament agreements. The delegation noted, however, that instead of seeking to develop a verification system to ensure that no peaceful nuclear explosions, even above a level of 150 kilotons, could be used as a weapons test, thus solving the problem of such explosions with regard to a comprehensive test ban, the two negotiating States had simply made sure that the PNE yields remained unier the threshold set by the Threshold Test Ban. The Committee, therefore, still faced the choice of having a comprehensive test ban which was not foolproof or of reaching agreement to abandon peaceful nuclear explosions under such a ban. Finally, the delegation noted that the PNE Treaty permitted limited on-site inspections, holding that this showed that, where precise procedures for verification were laid down in an agreement, on-site inspections were not considered unacceptable (CCD/PV.717).

89. Later in the session, the delegations of the United States and the Soviet Union made additional statements with regard to the PNE Treaty. The United States gave more details on the provisions and benefits of the Treaty, particularly with regard to the verification of group explosions, for which on-site inspections would be permitted for the first time in an arms control agreement. The delegation called the Treaty a major contribution to efforts to limit the development of nuclear explosions and to restrain competition in nuclear weapons, as well as a comprehensive system of regulations on all underground nuclear explosions of the two signatories. The delegation stressed, however, that while experience gained in implementing the Threshold Test Ban and the PNE Treaty might facilitate consideration of further testing restraints, the latter Treaty did not solve the problem of accommodating peaceful nuclear explosions under a comprehensive test ban (CCD/PV.719).

90. The delegation of the Soviet Union, elaborating on the potential economic benefits from peaceful nuclear explosions as demonstrated in that country, held that such explosions constituted one of the new and very promising avenues of nuclear energy uses. The wide scientific research and numerous experiments conducted in the Soviet Union had shown the great economic efficiency of nuclear explosions for the realization of many economic projects which had so far been carried out with traditional chemical explosives; and the peaceful use of energy from nuclear explosions opened up new opportunities in the area of explosion techniques and in the solution of complex engineering tasks which it would be practically inconceivable to carry out by traditional methods. Such possibilities, the delegation elaborated, included intensification of the development of petroleum and gas deposits; construction of underground storage capacity for natural gas, gas condensate and petroleum products; construction of underground capacity for the disposal of biologically hazardous industrial wastes; underground development of ore deposits; bringing accidental gas and petroleum gushers under control; preparation of deposits of useful minerals for open-pit mining; construction of canals; construction of rockfill dams for hydro-electric power stations; construction of industrial water supply reservoirs; and creation of cuttings and embankments in railway and road construction. Referring to the provision of the PNE Treaty relating to the intention of the Parties to develop co-operation in the field of underground peaceful explosions, the delegation maintained that all countries of the world would benefit from the results of such co-operation (CCD/PV.719).

91. Commenting on the verification system envisaged in the agreement, the delegation of the Soviet Union stressed that its purpose was to ensure that the explosions carried out corresponded to the declared peaceful purposes. The difference between verification procedures envisaged in the Threshold Test Ban Treaty and the PNE Treaty derived from the fact that nuclear weapon tests were carried out at specifically determined sites, on which the Parties were required to exchange detailed information under the Threshold Treaty, while the sites of peaceful explosions were naturally selected in each case according to the purpose of the particular project. Therefore additional questions could arise with regard to the need to determine whether a peaceful explosion exceeded the prescribed threshold. The delegation stressed that this was the reason why access of foreign representatives to the explosion site was allowed in

the case of peaceful explosions with a planned aggregate yield exceeding 100 kilotons, but not exceeding 150 kilotons, as well as in the case of any group explosion having a planned aggregate yield exceeding 150 kilotons. The delegation further emphasized, however, that the control system designed to verify the peaceful nature of a nuclear explosion did not imply any change in the position of the Soviet Union with regard to the verification of a complete and general prohibition of nuclear weapon tests; the problems of verifying underground weapon tests could be solved on the basis of national technical means, supplemented by co-operation in the international exchange of seismic data. Noting that the PNE Treaty opened the way to ratification of the Threshold Test Ban Treaty, the delegation concluded that the Treaty represented a further link in the chain of measures directed towards limiting the proliferation of armaments and achieving the goal of general and complete prohibition of nuclear weapon tests (CCD/PV.719).

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92. A number of delegations expressed views on the question of peaceful nuclear explosions in addition to those already noted in the contexts of a comprehensive test ban and the new PNE Treaty (above), as well as the Non-Proliferation Treaty (below).

93. The delegation of the Soviet Union held that a comprehensive ban must not create obstacles to benefiting from peaceful nuclear explosions. The nuclear-weapon States must carry out peaceful nuclear explosions in conformity with a procedure to be established under a special agreement, while non-nuclear-weapon States could benefit from peaceful nuclear explosions in conformity with the provisions of Article V of the Non-Proliferation Treaty. In establishing such a procedure, it would be necessary to pay due regard to the recommendations of IAEA (CCD/PV.688).

94. The delegation of Mongolia held that, while interested in having access to the potential benefits from peaceful nuclear explosions, Mongolia was aware that they were more likely to contribute to the proliferation of nuclear weapons, both vertically and horizontally, than to bring tangible benefits for practical use. Therefore, the benefits of peaceful nuclear explosions should be made available only under strict international safeguards through IAEA, which had already done useful work in studying this issue (CCD/PV.694).

95. The delegation of Italy stated that free access to benefits deriving from peaceful nuclear explosions should specifically be guaranteed to non-nuclear-weapon States (CCD/PV.714).

96. The delegation of Canada stated that a comprehensive test ban must also ensure that any testing or any application of nuclear explosions for peaceful purposes did not contribute to the refinement of existing nuclear weapons arsenals or to the acquisition of nuclear explosive capability by additional states (CCD/PV.703).

97. The Federal Republic of Germany shared the view of the United States that the problem of peaceful nuclear explosions was clearly connected with the problem of a comprehensive test ban, holding that the possibility of deriving important information for the development of nuclear weapons from peaceful nuclear explosions was one of the virtually undisputed conclusions of the meeting of experts on peaceful nuclear explosions organized by the Committee in 1975. A comprehensive ban which failed to solve the peaceful nuclear explosion issue satisfactorily, the delegation believed, would not only add to the existing problems of verification but could open the way for by-passing the Treaty (CCD/PV.696). Japan also generally supported the United States view, favouring further technical discussion on the establishment of the international regime envisaged in Article V of the Non-Proliferation Treaty, as well as on the controls to be applied to peaceful nuclear explosions conducted by nuclear-weapon States (CCD/PV.692).

98. The delegation of the Netherlands held that the Conference of the Committee on Disarmament had only partially made progress on the subject of the arms control implications of peaceful nuclear explosions, despite the useful informal meetings held on the subject in 1975. It reminded the Committee that the thirtieth General Assembly had, therefore, asked it to keep the subject under review and, in particular, the relationship of peaceful nuclear explosions to a comprehensive test ban. There was no easy solution for this problem, the delegation maintained, and the fact that the United States and the USSR had needed so much time to conclude the PNE Treaty to complement their Threshold Test Ban Treaty might be considered an indication of the difficulties involved (CCD/PV.704).

99.. Referring to some constructive aspects of the PNE Treaty, particularly its Article IV, the delegation of Nigeria proposed that the United Nations, which had primary responsibility for disarmament, should open a register for all nuclear explosions, whether for peaceful purposes or for weapons testing, and that all States should accept an obligation to report and record their nuclear explosions in that register; such a register would serve to attenuate the current controversy over peaceful nuclear explosions, as the world became better informed of the motive behind each nuclear explosion (CCD/PV.713).

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100. Some delegations also commented directly on the Soviet draft treaty on the complete and general prohibition of nuclear weapon tests, which was the subject of General Assembly resolution 3478 (XXX).

101. The delegation of the Soviet Union stated that the achievement of a comprehensive ban would be of substantial assistance in bringing about the cessation of the nuclear arms race and the achievement of nuclear disarmament, as stressed by Mr. Brezhnev at the twenty-fifth Congress of the Communist Party of the Soviet Union. The Soviet Union was prepared to take part in the negotiations on the subject approved by the 1975 General Assembly, and also attached particular importance to the participation of non-nuclear-weapon States, which could make a useful contribution. At the same time, the delegation continued, consideration of the test ban problem in the Committee, as well as the experience gained from elaborating disarmament agreements, provided a good basis for future negotiations on a comprehensive ban. Several States, the delegation further noted, held that the technical difficulties of controlling observance of the Treaty, as well as of the conduct of peaceful nuclear explosions, were obstacles to agreement; but the reactions of some States to the new proposal of the Soviet Union showed that the main obstacle was their unwillingness to stop testing. Enough technical studies had been carried out to show that verification could be achieved by national means, supplemented by the international exchange of seismological data. In any case, technical difficulties could not justify a refusal to participate in negotiations on a comprehensive ban, since negotiation offered a way to overcome such difficulties, as well as political ones (CCD/PV.695 - see also para. 38 above). Subsequently, the delegation of the Soviet Union regretted that the negative attitude of some nuclear-weapon Powers had prevented the initiation of the negotiations proposed by the Soviet Union (CCD/PV.705).

102. The delegations of Poland (CCD/PV.692), Bulgaria (CCD/PV.694 and 708), Mongolia (CCD/PV.694 and 712), Czechoslovakia (CCD/PV.695 and 717), the German Democratic Republic (CCD/PV.698 and 709), and Hungary (CCD/PV.721), also specifically expressed support for the Soviet draft treaty and expressed similar regrets at the lack of progress in implementing General Assembly resolution 3478 (XXX). Poland observed that the time had come when attempts at further limited solutions in the sphere of a nuclear test ban were becoming increasingly inadequate and the international situation made it imperative to seek solutions which were comprehensive and global in scope. The proposal of the USSR to conclude a treaty on the complete and general prohibition of nuclear weapon tests represented precisely such an approach (CCD/PV.692). The delegation of the German

Democratic Republic welcomed, in particular, the readiness of a great number of Socialist and non-aligned non-nuclear-weapon States, among them many members of the Committee, as well as the USSR as a nuclear-weapon Power, to participate in the implementation of resolution 3478 (XXX). (See also paragraph 69 above).

103. The delegation of Bulgaria held that the Soviet proposal on complete and general prohibition of nuclear weapon tests offered the best possible framework for negotiations of an effective ban (CCD/PV.722).

Non-Proliferation of Nuclear Weapons

104. A number of members commented on the question of the non-proliferation of nuclear weapons.

105. The delegations of Sweden (CCD/PV.689, Japan (CCD/PV.692), Poland (CCD/PV.692), the Soviet Uninn (CCD/PV.692), Hungary (CCD/PV.693 and 721), Bulgaria (CCD/PV.694), Mongolia (CCD/PV.694 and 712), Czechoslovakia (CCD/PV.695), the Federal Republic of Germany (CCD/PV.696), Canada (CCD/PV.705), the German Democratic Republic (CCD/PV.709), and the United States (CCD/PV.716) specifically stressed the importance of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and of universal adherence to it.

106. The delegation of the Union of Soviet Socialist Republics added that the adoption of further effective measures to prevent the spread of nuclear weapons was one of the most urgent tasks, and declared its readiness to co-operate with other States in solving this problem (CCD/PV.692). The delegation subsequently spoke in favour of the early elaboration by IAEA of a system of safeguards for all non-nuclear-weapon States, covering the complete nuclear-fuel cycle (CCD/PV.715).

107. The delegation of Poland stressed also that the threat of the spread of nuclear weapons could not be removed until all States with significant military and technological potential had adhered to the NPT. It added that at this stage, following the NPT Review Conference, there were no valid arguments that could be legitimately advanced in justification of further non-adherence to the NPT (CCD/PV.692).

108. The delegation of Mongolia suggested that, having in mind the overriding importance of strengthening the NPT, the General Assembly could adopt a special declaration on the strengthening of the non-proliferation regime which would, inter alia, address an urgent appeal to the States still remaining outside the Treaty to adhere to it as soon as possible (CCD/PV.694 and 712).

109. The delegation of Sweden held that the outcome of the NPT Review Conference in early 1975 had revealed the fragile basis of non-proliferation efforts, thus underlining the urgent need to give the highest priority to the work of curbing the arms race and thereby halting the vertical proliferation of nuclear weapons before the second NPT Review Conference in 1980 (CCD/PV.689 and 716).

110. The delegation of Romania, referring to the NPT Review Conference, stressed the urgent need for the nuclear-weapon States to put an end to the nuclear arms race, which was responsible for the proliferation of nuclear weapons in the world. It also stressed the view that, in the absence of concrete results in halting the arms race and in view of the insecurity caused by the existence of nuclear weapons, the non-nuclear-weapon States were fully justified in demanding definite guarantees that they would never in any circumstances be the victims of the use or threat of use of nuclear weapons. The nuclear Powers which were Parties to the Treaty should undertake such a commitment in an additional protocol to the Treaty (CCD/PV.691). The delegation stressed the importance of the principle of equal security and obligations in all disarmament matters (CCD/PV.712).

111. The delegation of India reiterated its opposition to all proliferation, horizontal or vertical, of nuclear weapons (CCD/PV.715).

112. The delegation of Japan urged that, in the efforts to strengthen the non-proliferation régime, the nuclear-weapon States should make further efforts to achieve a solution to the remaining difficulties from the viewpoint of the "balance of responsibilities and obligations" (CCD/PV.692); Italy hoped for progress at the SALT to complement the provisions of Article VI of the Treaty (CCD/PV.714).

113. The delegation of the Netherlands, noting that the NPT Review Conference had requested all Parties to the Treaty, whether nuclear-weapon States or non-nuclear-weapon States, to accept safeguards on all peaceful nuclear activities, suggested that the bilateral United States/USSR PNE Agreement had now made it possible to implement this request fully.

114. The delegation of Japan also referred to continuing Japanese efforts to ratify the Treaty at the earliest possible date, and on 22 June 1976, announced the deposit of its Government's instruments of ratification of the Treaty on 8 June 1976. The delegation also referred to the statement of its Government made on that occasion, expressed its hope that as many States as possible, in particular France and the People's Republic of China, would accede to the Treaty, and urged the nuclear-weapon States to take concrete nuclear disarmament measures in accordance with Article VI of the Treaty (CCD/PV.705 and CCD/494). The Committee was also aware of the recent ratification of the Treaty by the Arab Republic of Yemen and the recent efforts of Switzerland to ratify the Treaty.

115. The delegations of the United States (CCD/PV.705), the USSR (CCD/PV.705), Canada (CCD/PV.705), Iran (CCD/PV.706), Bulgaria (CCD/PV.708), the United Kingdom (CCD/PV.708), the German Democratic Republic (CCD/PV.709), Mongolia (CCD/PV.712), Italy (CCD/PV.714), Poland (CCD/PV.715), Sweden (CCD/PV.716), Czechoslovakia (CCD/PV.717) and Hungary (CCD/PV.721) specifically welcomed the new ratifications, as well as the Swiss efforts in that direction, and expressed hopes for early universal adherence to the Treaty.

116. The delegation of Poland stressed the importance of the work of the International Atomic Energy Agency (IAEA) on safeguards against the diversion to military use of nuclear fuels and equipment, and expressed the view that there could be no doubt that the benefits of peaceful uses of nuclear energy were available, in the context of Article V of the NPT, to all non-nuclear-weapon States, whether Parties to the Treaty or not. The Agency was now studying the legal, technical, environmental and health-protection implications of peaceful nuclear explosions, and the issue need not be dramatized, since no concrete request for such services had been formally made; and if such requests were made, they could easily be granted through appropriate bilateral or multilateral mechanisms in view of the stated goodwill of the depositary Governments and the availability of such mechanisms in IAEA (CCD/PV.692).

117. The delegation of the Federal Republic of Germany also held that international nuclear explosive services, pursuant to Article V of the NPT, should be provided through IAEA and under its supervision, and that the relevant special international agreements would have to be drawn up by IAEA. All peaceful nuclear explosions, including those not covered by Article V, should be carried out under appropriate international observation, the delegation added (CCD/PV.696).

118. The delegation of Bulgaria stressed the need for further concrete action to counter the persisting danger of proliferation of nuclear weapons and noted the great importance of the understanding reported to have been reached among twenty-two States exporters of nuclear materials and equipment on the application of IAEA safeguards to third countries acquiring them. The delegation also noted the recommendations of the 1975 NPT Review Conference aiming at the strengthening of the common export requirements in relation to safeguards and declared that the Bulgarian Government was in favour of any action in this direction, both by exporting and importing States (CCD/PV.708).

119. The delegation of Mongolia held that an extremely important element of strengthening the regime of non-proliferation was a strict observance of the provisions of paragraph 2 of Article III of the Treaty concerning safeguards to be applied under

the Treaty. The delegation appreciated the efforts undertaken by certain States exporting nuclear fuel and technology to secure such observance; on the other hand, it shared the grave anxiety expressed by African and Arab States with respect to the continued nuclear commerce between certain Western Powers and the regimes in South Africa and Israel (CCD/PV.712).

120. The delegation of Nigeria, referring to the Final Act of the NPT Review Conference and contending that South Africa did not need nuclear reactors for energy for peaceful purposes, also regretted that nuclear-weapon Powers were providing South Africa with assistance and material for the production of nuclear weapons (CCD/PV.713).

121. The delegation of the United States stressed its recent efforts, in co-ordination with other countries, to separate more effectively assistance for truly peaceful applications of nuclear technology from the kind of assistance that might violate Article I of the NPT (CCD/PV.716).

122. Further references to the problem of peaceful nuclear explosions were made in the context of a comprehensive test ban (see separate section, above).

Nuclear-weapon-free zones

123. A number of delegations also commented on the question of nuclear-weapon-free zones, particularly with reference to various resolutions on this issue adopted by the General Assembly at its thirtieth session in 1975.

124. The delegation of Mexico maintained that the extraordinary increase in the number of General Assembly items relating to nuclear-weapon-free zones revealed the impatience of non-nuclear-weapon States with the lack of progress in the field of nuclear disarmament. The delegation stated that, faced with the reluctance of the nuclear-weapon States to adopt effective disarmament measures, the States of the Third World would be inclined to use methods such as those applied in an epidemic, so as to expand gradually those areas of the world in which nuclear weapons were banned forever to the point where the territories of States possessing those weapons would appear as contaminated islands, subject to quarantine. Referring to the General Assembly resolutions on nuclear-weapon-free zones, the delegation also underlined the importance of the two definitions contained in resolution 3472 B (XXX) regarding the concept of a nuclear-weapon-free zone and the principal obligations of nuclear-weapon States towards nuclear-weapon-free zones, respectively (CCD/PV.688).

125. The delegation of Nigeria expressed similar views, adding the opinion that the concept of a nuclear-weapon-free zone had been better defined in resolution 3472 B (XXX) and that the report of the Ad Hoc Group of Experts on this issue[1] constituted a guide to all States interested in the establishment of such zones (CCD/PV.693).

126. The delegation of the Federal Republic of Germany also considered the comprehensive study to be a constructive contribution to non-proliferation policy (CCD/PV.696), while the United Kingdom considered it realistic and useful to groups of States wishing to form such a zone (CCD/PV.708).

127. The delegation of Iran considered that the concept of such zones, as well as the points of controversy, had been clearly defined in the study which had been appreciated by the General Assembly despite the inability of the Expert Group to agree on some fundamental aspects of nuclear-weapon-free zones, and regretted only that it had not been possible to elicit firmer commitments in principle on the question of security guarantees. Referring specifically to the United Nations General Assembly resolution on the Middle East nuclear-weapon-free zone, the delegation stressed the view that adherence to the Non-Proliferation Treaty by all the States involved would help to create the co-operative atmosphere needed for the establishment of a viable zone in this region and that all States of the area should also declare their intention to refrain, on a reciprocal basis, from producing, acquiring, or in any other way possessing nuclear weapons and nuclear explosive devices, and from permitting the stationing of such weapons on their respective territories (CCD/PV.690).

128. The delegation of Poland held that nuclear-weapon-free zones were an important aspect of the larger non-proliferation picture and of the Non-Proliferation Treaty, and noted that it had consistently supported the creation of such zones in various parts of the world, including Central Europe. It held, however, that the General Assembly should not define the concept or the scope of such zones or claim the right to decide which zones could be recognized and which could not (CCD/PV.692). The delegation of Mongolia entirely shared the view that the recognition of the nuclear-weapon-free zones was a prerogative of the sovereign authority of every State (CCD/PV.694).

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[1] Official Records of the General Assembly, thirtieth session, Supplement No. 27A (A/10027/Rev.1/Add.1).

129. The delegation of the Soviet Union supported this point of view and stressed that the creation of nuclear-weapon-free zones in various regions of the world would be a further measure for preventing the proliferation of nuclear weapons; however, any agreement for creating such zones must genuinely ensure that they were entirely free of nuclear weapons and must exclude any loop-holes for violating their nuclear-free status (CCD/PV.692).

Prohibition of the use of force in international relations, including prohibition of the use of nuclear weapons

130. The question of prohibition of the use of nuclear weapons was also discussed by a number of delegations. In this general connexion, the delegations of Poland (CCD/PV.692), Bulgaria (CCD/PV.694), Mongolia (CCD/PV.694), Czechoslovakia (CCD/PV.695) the German Democratic Republic (CCD/PV.698 and 709) and the Soviet Union (CCD/PV.704 and 715) stressed the importance of the proposal for the non-use of force made at the twenty-fifth Congress of the Communist Party of the Soviet Union, and held that the conclusion of a universal treaty to ban the use of force would be of paramount importance for strengthening world peace, for prohibiting the use of all types of weapons, including nuclear and other weapons of mass destruction and for achieving progress towards disarmament.

131. The delegation of Mongolia added that such a treaty would also be a practical step towards implementation of the historic declaration on the non-use of force in international relations and the permanent prohibition of the use of nuclear weapons, adopted by the twenty-seventh session of the General Assembly (resolution 2936 (XXVII)) (CCD/PV.694).

132. The delegation of the USSR recalled that, four years ago, it had put forward a proposal to ban all forms of weapons, nuclear as well as conventional, in order to create the necessary conditions for preventing armed conflicts. That proposal on the non-use of force in international relations and the simultaneous permanent prohibition of the use of nuclear weapons had been approved by the General Assembly. Circumstances had since confirmed its timeliness and importance. In an endeavour to make renunciation of the use of force and threats of the use of force for the settlement of disputes a law of international relations, the Soviet Union had at the beginning of this year also given practical expression to that idea and had proposed the conclusion of a world-wide agreement on the non-use of force in international relations. The consideration by States of practical measures to implement that proposal would, the delegation believed, become one of the most important practical tasks in the disarmament field (CCD/PV.727).

B. Non-nuclear measures

Question of chemical and bacteriological (biological) weapons

133. Having in mind the recommendations of General Assembly resolution 3465 (XXX), the Conference continued its efforts to achieve progress in all areas of the problem concerning chemical weapons. A number of members emphasized the importance and urgency which they attached to the prohibition of chemical weapons to supplement the existing ban on biological weapons.

134. A number of delegations, including Iran, Japan, Mexico, Nigeria, Sweden and Yugoslavia, expressed regret that the joint initiative on an international agreement prohibiting the most dangerous lethal means of chemical warfare, which the United States and the Soviet Union, in 1974, had agreed to consider, had not yet materialized. Sweden accordingly urged the Committee to make a fresh start so that an agreement could be reached as soon as possible (CCD/PV.689). The delegation of Iran held that the excellent papers on chemical weapons submitted by various delegations at the 1975 session of the Committee deserved to be supplemented by efforts on the part of the Soviet Union and the United States, and stressed that the Committee should continue to work on the basis of the draft agreements on the table, while awaiting the joint initiative (CCD/PV.690). The delegation of Nigeria expressed dissatisfaction that the discussion of proposals on the subject of a chemical weapons ban put forward by Japan, in particular, as well as by Sweden, Canada and others, had been cut off in 1974 (CCD/PV.693).

135. The delegation of Poland (CCD/PV.692) stressed that the Socialist countries sought effective prohibition of the development, production and stockpiling of all chemical weapons and their elimination from the arsenals of all States. Since such a comprehensive approach seemed to pose difficulties to some delegations, the Socialist countries had offered to examine with an open mind any other constructive proposal conducive to the ultimate attainment of such a goal. It was in that spirit that Poland had welcomed the announcement in 1974 of the intention of the USSR and the United States to submit to the Committee a joint proposal for the prohibition - as the first step - of the most lethal types of chemical weapons (CCD/PV.692).

136. This general view was specifically supported by the delegations of Hungary (CCD/PV.693), Bulgaria (CCD/PV.694), Mongolia (CCD/PV.694), the German Democratic Republic (CCD/PV.698) and Czechoslovakia (CCD/PV.717), which also held that the entry into force of the Convention on Biological Weapons was a clear signal for dedicated action on chemical weapons, in keeping with the commitment in that Convention.

137. The delegation of Mongolia, with particular reference to the announced joint initiative, held that it was logical to expect the United States, which had been unable to accept the comprehensive approach, to suggest a means of achieving an agreement in the field (CCD/PV.694); the delegation of Czechoslovakia also considered that it was not the Committee, but one important member, which was responsible for the delay on the joint initiative (CCD/PV.695); while the German Democratic Republic held that some States used allegedly unsolved technological problems as a pretext for their negative attitude (CCD/PV.698).

138. The delegation of the Federal Republic of Germany held that, despite the lack of visible progress towards a chemical weapons ban, the work of 1975 had not been in vain and that the only alternative was to adopt a step-by-step policy without losing sight of the ultimate goal of a comprehensive ban. The delegation also considered that material already submitted to the Committee should be an adequate basis for further substantive discussions, and proposed an informal meeting of experts on the subject during the summer session (CCD/PV.696).

139. The delegation of Sweden called upon the delegation of the United States to elaborate on a statement made at the end of the 1975 session (CCD/PV.687) to the effect that an initial chemical weapons prohibition should deal with all lethal agents. The delegation held that if some sort of agreement on agents to be included in a treaty was emerging, it was high time to try to determine what activities should be within the scope of the treaty. The question of binary chemical weapons had recently raised uncertainties, and many verification problems had still not been fully solved, the delegation further stressed. Non-intrusive methods of verification could be of some value, it held, and States should test them and give their opinions on their possible use; but for the elimination of existing stockpiles of chemical weapons, it was obvious that some kind of on-site verification was necessary, and this issue should be considered during the coming experts meetings. The total absence of verification measures in the Biological Convention would make it necessary to extend the verification provisions to toxins in a treaty banning chemical weapons. The main difficulty of the Japanese draft convention (CCD/420) was that too many options were left open and the intended exemptions from the prohibition seemed to be too numerous. Also, the verification question needed further elaboration. The draft convention of nine socialist States (CCD/361) followed closely the text of the Biological Convention, the delegation continued, but since there were vast differences between the two types of weapons, the draft would obviously require major amendments and it would be advisable to consider the text together with the Japanese proposal. By the time the expert meeting proposed by the Federal Republic of Germany was held, positions should have begun to emerge sufficiently to permit substantive negotiations (CCD/PV.697).

140. In introducing its working paper (CCD/485) on the subject of verification of the destruction of chemical weapon stockpiles, the delegation of Sweden held that the international on-site verification method proposed therein was a compromise measure that would serve as an important confidence-building measure (CCD/PV.704).

141. The delegation of Japan, introducing its working paper CCD/483 on the question of chemical weapons agents to be prohibited by the convention, stated that it would be unrealistic to imagine that a comprehensive ban on chemical weapons could be achieved outright, since the chemical agents to be banned included some which could also be used for peaceful purposes and since there were still problems to be solved, such as verification measures; the ultimate goal should therefore be realized by stages. The Japanese draft convention, the delegation held, embraced the principle of a comprehensive ban by banning all chemical weapons agents of types and in quantities that had no justification for protective or other peaceful purposes, thus applying the purpose criterion; at the same time, it provided for the principle of phased progress towards the goal by including in the ban those agents for which verification measures were available and by tentatively excluding others from the ban. With the use of objective criteria such as toxicity and chemical structure along the lines suggested in the Japanese working papers, the CCD would be able to complete the list of agents to be banned, including those not yet recognized as chemical weapons agents (CCD/PV.702).

142. In its working paper CCD/430, the delegation of Japan further noted, it had suggested the immediate prohibition of 54 kinds of super-toxic organophosphorus compounds, which it considered could be verified by a combination of means, including examination of the statistical data on total production, consumption, exports and imports, as well as physical and chemical analytical methods. At the same time, Japan was aware of the view that less toxic agents, such as those used during World War I, should be banned from the outset, and was ready to share this view if it prevailed; however, such agents would include dual-purpose agents, for which it was more difficult to find verification measures and which must be excluded from the ban when produced only in quantities justified for peaceful purposes. Accordingly, these two groups of agents should be treated separately, as indicated in the annexes to working paper CCD/483 (CCD/PV.702).

143. The delegation of the United States, outlining its views on a wide range of issues related to the limitation of chemical weapons, maintained that, in the absence of

verification measures capable of detecting clandestine chemical weapon stockpiles, the objective of the complete prohibition of chemical weapons could not be realized in a single comprehensive agreement. The United States therefore supported a phased approach and had concluded that a first-stage agreement should cover all lethal chemical weapons agents. Several approaches were possible in constructing a phased agreement on the basis of activities. The United States believed that an approach suggested by Canada - involving a ban on the production of all lethal CW and the destruction of a certain amount of lethal CW stocks over a specified period - showed promise and merited serious consideration by the Committee. Under this approach it would be necessary to choose among a variety of ways of expressing the quantity of chemical weapon stocks to be destroyed. The United States considered the inability to find effective solutions in the area of verification to be the principal obstacle to a chemical weapons agreement, and called for efforts to achieve a fuller understanding of verification issues, especially of those techniques that might be expected to contribute significantly to the reliability of a chemical weapons verification system. A verification system suitable for an agreement banning chemical weapons production and reducing stockpiles would be expected to involve a variety of techniques, including exchange of information, the use of unattended tamper-proof seals, and on-site inspection of production facilities. The United States suggested that the Committee give thorough consideration to the modalities of an on-site inspection system, both of inspection by challenge and mandatory inspection. An effective verification system for destruction of declared stockpiles must be capable of confirming that the type and quantity of agents being destroyed had been correctly represented. The United States believed that a procedure could be devised that would perform this function while not revealing military or industrial secrets. An international treaty authority could play a role, not only as an element in a CW verification system, but more generally as a means of ensuring the efficient operation of a CW regime. However, effective operation of the treaty regime should be the responsibility of the Parties themselves, and not the responsibility of a new international organization established for the purpose. A consultative body might accordingly be set up, with membership open to all Parties, or composed of a smaller group selected on a rotational basis. This body could draw on the technical expertise of its member States and might also decide on occasion to seek the assistance of experts from other States, or from professional associations or international organizations with special expertise. Such a body could be convened periodically and as the need arose. There would be some need for a permanent staff for the consultative body and for some services to be performed throughout the year. The United Nations Secretary-General and his staff might play a useful role in this area. The United States, the delegation concluded, would continue its contacts with the USSR with a view to developing a joint initiative, but it agreed with those who held that this matter should not distract the Committee from working towards an agreement (CCD/PV.702).

144. The delegation of the Soviet Union pointed out that the Soviet Union had always advocated, and still advocated, a complete and general prohibition of the development, production and stockpiling of chemical weapons and the destruction of stocks thereof. The draft convention submitted by the Soviet Union and other socialist countries in 1972 (CCD/361) was based specifically on this position of principle. The majority of delegations, while recognizing the possibility of a step-by-step approach, had expressed the view that a total prohibition of chemical weapons would be the most acceptable, a fact which the Soviet delegation noted with satisfaction. At the same time, the delegation stressed, the Soviet Union, prompted by the desire to promote in every way the earliest possible attainment of the goal of prohibiting chemical weapons, had displayed its readiness to accept the idea of some countries for a step-by-step approach to the solution of the problem through prohibition, as a first step, of the most dangerous and lethal chemical means of waging war. The delegation added that the Soviet Union was prepared to continue its co-operation towards the achievement of a Soviet Union/United States declaration concerning a joint initiative on the prohibition of the most lethal chemical means of warfare (CCD/PV.704). These general views were supported by the delegations of Bulgaria (CCD/PV.708), the German Democratic Republic (CCD/PV.709), Mongolia (CCD/PV.712), Hungary (CCD/PV.721) and Poland (CCD/PV.722), which continued to favour a ban on all chemical weapons as provided for in the draft convention of the socialist States. The delegation of Poland observed that its flexibility in that respect stemmed from its conviction that partial constraints, apart from their intrinsic arms limitation value, had substantial confidence-building potential and they could contribute to improving the political climate, both regional and global (CCD/PV.722).

145. The delegation of the United Kingdom, noting that none of the draft conventions submitted to the Committee had obtained full support, announced its intention to submit a draft convention combining elements of previous drafts which the United Kingdom considered constructive and realistic (CCD/PV.708). The delegations of Japan (CCD/PV.709), Mongolia (CCD/PV.712), the United States (CCD/PV.712), Sweden (CCD/PV.712), Italy (CCD/PV.714), Yugoslavia (CCD/PV.714), Czechoslovakia (CCD/PV.717) and Iran (CCD/PV.717) looked forward to the new draft of the United Kingdom (see paragraph 160).

146. The delegation of Japan, noting that prohibition of the development of chemical weapons was not practical, held that any ban on such weapons must be achieved through an initial ban on their production, possibly coupled with a phased reduction of their stockpiles to achieve total destruction. The delegation also expressed the view that any agreement must provide for periodic review conferences preceded by meetings of experts to study the improvement of verification measures (CCD/PV.709).

147. The delegation of Canada recalled its proposal of 1974 (CCD/PV.643) for a phased approach to the question and again outlined the proposal's main elements including a ban on the production of all single purpose (military) agents above an agreed toxicity level and on the production of identified single purpose agents of lower toxicity, a ban on the filling of chemical warfare munitions with dual-purpose agents except for legitimate quantities of incapacitating agents for civil use, and a phased destruction of agreed quantities of chemical weapon stocks. The delegation also noted the view of the representative of the United States that the proposal was a realistic compromise worthy of serious consideration (CCD/PV.709). In this connexion, the delegation held that the time had come to explore fully the many working papers that had been submitted on the subject of a chemical weapons ban. The delegation of Sweden (CCD/PV.712) supported by the delegations of the United Kingdom (CCD/PV.713) and Iran (CCD/PV.717), subsequently requested the Secretariat to consider clarifying and compiling the views put forward in working papers in recent years.

148. The delegation of Yugoslavia held that a first and indispensable step towards a comprehensive ban, even preceding definition of the types of weapons to be banned, would be public declarations by States of the possession of chemical weapons. The delegation recalled that the United States had already made such a statement and expressed its belief that other countries possessing chemical weapons would follow its example. In order to prevent the proliferation of chemical weapons, States possessing them should also undertake not to stockpile them outside their national boundaries or to assist other States in acquiring them, while States not possessing them should undertake not to receive such weapons or assistance in acquiring them (CCD/PV.714).

149. In accordance with the request of the Federal Republic of Germany, supported by Mongolia (CCD/PV.694), the United States (CCD/PV.705), Bulgaria (CCD/PV.708), the United Kingdom (CCD/PV.706), Canada (CCD/PV.709), the German Democratic Republic (CCD/PV.709) and Japan (CCD/PV.709), four informal meetings on the subject of a chemical weapons ban were held, from 5 to 8 July with the participation of experts from Canada, Czechoslovakia, the German Democratic Republic, the Federal Republic of Germany, Hungary, Japan, the Netherlands, Poland, Sweden, the USSR, the United Kingdom, the United States and Yugoslavia.

150. The delegation of the United States held that these meetings had advanced the Committee's work in a number of important aspects and had, in particular, revealed a similarity of views on defining the agents to be barred, including broad support for applying the general purpose criterion and that of toxicity (CCD/PV.711). The delegation of the United Kingdom thought the meetings had significantly improved understanding of the major views involved in a chemical weapons ban (CCD/PV.720). The delegation of the Federal Republic of Germany noted that the meetings had been generally regarded as very constructive and that the discussion would be of particular value to future efforts to evolve a more precise definition of the substances to be covered by a convention on the prohibition of chemical weapons (CCD/PV.723).

151. The delegation of Sweden (CCD/PV.712), the USSR (CCD/PV.714) and Italy (CCD/PV.724) noted the good results of the meetings and welcomed the recent activation of discussions in the Committee on the subject of a chemical weapons ban. The delegation of the Soviet Union also noted a similarity of views with respect to use of the general purpose criterion, supplemented by the toxicity criterion. The delegation of Italy also welcomed the results of the meeting (CCD/PV.714). Japan held that they had resulted in valuable achievements which it hoped would result in the long awaited USSR/United States initiative (CCD/PV.715), and Poland considered the experts' views enlightening (CCD/PV.715).

152. The delegation of Czechoslovakia, while welcoming the results of the meetings and noting with satisfaction the narrowing of differences with respect to the scope of a ban, stressed that the verification problem still remained to be resolved (CCD/PV.717).

153. The delegation of Mongolia, while maintaining that technical discussions could not significantly advance a solution of the problem and advocating active political negotiations instead, considered that the informal meeting had resulted in a better understanding of the various procedures and that the working papers had shown a positive tendency to search for new means of national verification. The delegation also noted that, while the general purpose criterion of the draft convention of the

Socialist States was the most important element of an agreement, it might usefully be supplemented by technical criteria (CCD/PV.712). The delegation of Bulgaria (CCD/PV.708) also stated that, while it was necessary to achieve a comprehensive ban, Bulgaria could accept a phased approach to the ban if this proved to be generally acceptable.

154. Romania held that the Committee had made some progress towards a chemical weapons ban and had benefited from the contribution of experts (CCD/PV.712).

155. Yugoslavia, on the other hand, regretted that no solution to the problem of banning all chemical weapons had yet been found and stated that, while it could accept the concept of a phased approach in the context of a comprehensive ban, it considered such an approach to be unacceptable without a set schedule of steps (CCD/PV.714).

156. The delegation of the Soviet Union noted with satisfaction that, as the summer session had shown, differences of opinion between members of the Committee on aspects of the scope of the ban had narrowed significantly. The majority of representatives, while admitting the possibility of a step-by-step approach, had advocated a complete ban on chemical weapons as an ultimate objective. There had also been a narrowing of differences on the definition of the chemical agents to be covered by the ban, and agreement on the need to adopt the general purpose criterion supplemented by the toxicity criterion. The discussion could be considered, the delegation maintained, to have produced another tangible result in that it had further clarified the question of the validity of national verification, which would be supplemented by certain international procedures. The fact that the point of view of the socialist countries regarding the adequacy of such forms of verification was meeting with increasing understanding among members of the Committee had not insignificant practical implications and would help to advance the Committee's work (CCD/PV.727).

157. With particular regard to the suggestion of the United States that the Conference should concentrate on seeking an agreement to ban the production of all lethal chemical warfare agents, the United Kingdom (CCD/PV.708) expressed the hope that this could lead to real progress at this year's session, while Japan (CCD/PV.709), noting that this idea involved the phased approach it advocated, as well as limited on-site inspections, indicated that it could go along with the concept if it proved broadly acceptable.

158. The delegation of Japan also stated that, in the light of the view of non-aligned members that less toxic agents should be prohibited in a first phase (CCD/400) and the Swedish view that the Japanese draft convention might result in too many exceptions, Japan would not insist that the initial ban be restricted to super-toxic agents only (CCD/PV.709). The delegation of the United States expressed appreciation for this

position (CCD/PV.711). The delegation of Japan further pointed out that toxicity had come to be recognized by many countries as being the primary criterion in delimiting the chemical warfare agents to be banned and that, for the purpose of comparing the toxicity of different chemical substances, the lethal dose served as a highly reliable index and that its numerical value could be obtained for any chemical substance. The delegation also suggested formulating a LD50 (Toxicity) Spectrum with a view to delimiting the chemical warfare agents to be banned (CCD/PV.709). The delegation later submitted and explained a working paper (CCD/515) containing the details of the suggested LD50 Spectrum (CCD/PV.721).

159. The delegation of Iran also welcomed the results of the informal meetings, particularly the narrowing of differences, including considerable agreements on the validity of a phased approach to a comprehensive ban, a crystallization of views on the agents to be included in the initial phase of such a ban, and broad support for use of the general purpose and toxicity criteria. The delegation also held that the position of the United States, favouring a ban on all lethal and other highly toxic agents, seemed to be a step towards the views contained in the working paper of the non-aligned members (CCD/400). It noted, however, that an initial ban on all lethal weapons could lead to complicated questions regarding definition and verification of dual-purpose chemical warfare agents. The delegation also expressed satisfaction that the United States and the Soviet Union intended to continue their bilateral contacts on the question of a chemical weapons ban and hoped they could proceed simultaneously with negotiations on the matter in the Committee and that the Committee would be kept informed (CCD/PV.717).

160. On 12 August, the delegation of the United Kingdom introduced a draft convention on the prohibition of the development, production and stockpiling of chemical weapons and on their destruction (CCD/512), which it described as an attempt to bring together constructive elements of previous drafts with the addition of some new ideas. The delegation explained that the draft incorporated suggestions put forward by the East European delegations in their 1972 draft chemical weapons convention (CCD/361) and in their working paper on verification (CCD/403), particularly regarding the use of a general purpose criterion for agents to be banned and the use of national verification agencies and international information exchange as part of the verification procedure. Another source of ideas was the working paper CCD/400 tabled by non-aligned members, including the views that a chemical weapons ban must not detract from the Geneva Protocol of 1925 banning the use of chemical and biological weapons, that it must not hamper peaceful research in the chemical field and that it should contain an undertaking not to assist other States to circumvent

the convention; the verification provision envisaged in the same working paper had also been included in the draft. The idea of establishing an international verification agency, advanced in the Japanese draft convention (CCD/420), had also been incorporated in the draft in the form of a provision for a consultative committee of the parties to the convention to oversee the operation of the convention, the delegation continued, as had the Canadian suggestion of 1974 that a chemical weapons agreement should be comprehensive in scope but provide for the gradual destruction of stocks, a view that was later supported by the United States. One major innovation, the delegation added, was that, in the first stage of the agreement, States signing it would provide information on their stocks of chemical weapons and any production facilities, actual or potential, and would stop any further production of such weapons; the next stage would be the entry into force of other provisions of the convention as soon as it was ratified by an agreed number of States; and the third and final stage, which could last several years, would involve the phased destruction of stockpiles of the prohibited agents or their conversion to peaceful uses. The delegation noted further that the draft convention would require the negotiation by the Committee of several additional protocols, but expressed the hope that it would facilitate agreement.

161. The delegations of Hungary, Japan and Sweden (CCD/PV.721), Poland (CCD/PV.722), the Federal Republic of Germany (CCD/PV.723) and Italy (CCD/PV.724) welcomed the new draft of the United Kingdom, and the delegations of Japan and the Federal Republic of Germany hoped it would spur deliberation on the subject in the Committee at its 1977 session. The delegation of the Federal Republic of Germany added the view that the work of the expert meetings would prove useful in assessing the various provisions of the new draft; it also held that the draft proposals on verification were of particular interest, stressing in this connexion its view that an effective international verification system was indispensable for a convention of the type envisaged and that this system could not be based on that of the Biological Weapons Convention. The delegation of Japan also introduced a working paper containing a suggestion for determining the chemical agents to be included in a ban.

162. The delegations of Poland (CCD/PV.722) and Bulgaria (CCD/PV.722) believed that the informal expert meetings on the subject had contributed to a better understanding of the problems involved. Noting the increased activity in the Committee's consideration of a chemical weapons ban, the two delegations urged achievements of an early and

effective ban on such weapons. They also indicated that they would give careful attention to the new draft convention submitted by the United Kingdom. Poland, in particular, stressed the basic correctness of the comprehensive approach proposed in the draft convention of the socialist States (CCD/361).

163. The delegation of Mexico stated that the situation with regard to the question of a ban on chemical weapons was less discouraging than that with regard to a comprehensive nuclear-weapon test ban, but stressed the risk of continuing to overestimate the importance of technical aspects of the problem (CCD/PV.724).

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164. With particular regard to the problem of verification of a chemical weapons ban, the delegation of Canada stated that whether or not it was ultimately considered necessary or proved possible to have on-site verification of a ban on production, they would consider on-site verification of the reduction of stockpiles and periodic reviews of the treaty's implementation and effectiveness to be important confidence-building measures (CCD/PV.709).

165. Japan noted that, despite some progress, the problem of verification remained and held that, if the limited initial ban it had proposed was to be expanded, verification would have to combine monitoring with on-site inspections. It added that it would, accordingly, soon call on all States possessing chemical warfare agents to accept such inspections for limited purposes. The delegation added the view that adequate means for verifying the non-production of dual-purpose chemical agents were not yet available (CCD/PV.709).

166. On the other hand, the delegation of the German Democratic Republic (CCD/PV.709), the Soviet Union (CCD/PV.714) and Hungary (CCD/PV.721) continued to hold that a combination of national means of control and international procedures, as proposed by the socialist States in their working papers CCD/361 and CCD/403, would be a realistic and suitable solution of the problem of verification of a chemical weapons ban. Yugoslavia also considered such verification to be the most acceptable (CCD/PV.714). The German Democratic Republic and Hungary held further that demands for an exaggerated degree of perfection in the control system might not only delay, but even prevent achievement of an agreement in the matter. The delegation of Hungary also stressed that the Committee should pay more attention to this issue, with a view to reaching agreement on guidelines for the establishment of national authorities and for the required international procedures.

167. The delegation of the Soviet Union noted that the possibilities of national control, including physical, chemical, biological and certain other methods, were sufficiently broad and were based on scientific methods of analysis. The effectiveness of individual methods was so high that it was possible to record the presence of exceedingly small quantities of a substance in a sample. An essential element of control would undoubtedly be the analysis of statistical data on the production and consumption of the raw materials and semi-products, the delegation added. There were adequate effective possibilities for conducting the control by enlisting specially established national control committees. Some countries were also conducting research into the possibility of control by national means with the aid of instrumental methods of extraterritorial long-range facilities (CCD/PV.714).

168. The delegation of Iran foresaw considerable difficulties in achieving agreement on means of verification in any chemical weapons agreement, suggesting that prior agreement on the methods that would be most effective and least intrusive might facilitate consideration of the central issue, the search for some verification organ that would reconcile the need for international supervision with the need to protect national industrial interests. For the destruction of chemical weapon stockpiles, responding to the proposals of the United States, the delegation suggested the alternative of establishing specific amounts to be destroyed by the various parties concerned in order to avoid excessive verification demands. In this general connexion, the delegation hoped that the Swedish working paper CCD/485 would help solve the problem of ensuring stockpile destruction without undue disclosure of information (CCD/PV.717).

169. The delegation of the United States announced that it would be interested in exploring with other delegations the possibilities for technical exchange visits, including visits to selected chemical production facilities in various countries (CCD/PV.705). The delegation further stated that the programme of visits should be broad in terms of both participation and content and that it hoped to initiate them within a few months in order to facilitate the Committee's discussion of the chemical weapons ban during its 1977 session (CCD/PV.711). Sweden thought such visits would be particularly useful for bringing about a better understanding of the verification problem involved and as a confidence-building measure (CCD/PV.712). The delegation of Iran said the proposal of the United States should receive careful attention (CCD/PV.717).

170. Commenting on various working papers submitted on the subject of scope and verification of a chemical weapons ban, the delegation of the United Kingdom said (CCD/PV.706) that although the Swedish working paper CCD/461 was useful in many ways, the United Kingdom was not sure that all verification problems were best solved by gradual measures, as suggested in that paper. It also foresaw difficulties in verifying the destruction of chemical weapon stocks in accordance with the plan advanced in the Swedish paper CCD/485. It welcomed, however, Sweden's recognition that on-site inspection was necessary for verification of any such agreement. The United Kingdom delegation also had questions with regard to the criteria for establishing the toxicity of chemical weapons as described in the paper of the Federal Republic of Germany (CCD/458) and with regard to a Canadian paper (CCD/473) suggesting a method of establishing toxicity. The delegation considered the classification method in a Japanese paper(CCD/466) interesting and expressed particular appreciation for the paper submitted by Finland (CCD/453).

171. The delegation of the United Kingdom introduced a working paper of its own (CCD/502) on the feasibility of extra-territorial surveillance of chemical weapon tests by air monitoring at the border (CCD/PV.704).

172. The delegation of the United States introduced working papers dealing with on-site monitoring of stockpile destruction: seals, cameras and sensors potentially useful in verification; and proposals for the definition of chemical weapons agents previously made by other delegations (CCD/497, 498 and 499) (CCD/PV.707).

173. The delegation of the German Democratic Republic introduced a working paper on the catalytic detoxification of organophosphorus chemical weapons agents, which drew the conclusion that there existed important preconditions to ensure the destruction of stocks of chemical weapons in the framework of a comprehensive prohibition of these weapons (CCD/PV.709).

174. Responding to the view of the United Kingdom with regard to working paper CCD/461, the delegation of Sweden noted that the summing up of various concepts of chemical weapons definitions and even the fact of Swedish participation in the technical discussions did not imply that it had taken any position with respect to the scope of a ban other than a comprehensive one or with respect to the type of verification required; with regard to its paper CCD/485, the delegation stated that it had not yet reached a final decision in the matter (CCD/PV.712).

175. The delegation of Sweden (CCD/PV.712) praised the working papers of Yugoslavia with respect to protection against chemical weapons and the treatment of casualties (CCD/503) and the scope of agents to be banned (CCD/504 and 505).

176. In referring to its paper CCD/503, Yugoslavia stressed the importance of international co-operation to improve the present unsatisfactory situation with regard to medical protection against chemical warfare agents (CCD/PV.714).

177. At the 727th meeting on 3 September, the Committee requested the Secretariat to undertake, if possible before the beginning of the Committee's 1977 session, a compilation of appropriate material from working papers and statements on the question of chemical weapons presented to the Committee in recent years.

Prohibition of the development and manufacture of new types of weapons of mass destruction and of new systems of such weapons

178. Having in mind the recommendations of General Assembly resolution 3479 (XXX), many members discussed the question of the prohibition of the development and manufacture of new types of weapons of mass destruction. On the initiative of the Soviet Union, a first series of three informal meetings on the subject were held from 7 to 8 April, with the participation of experts from the German Democratic Republic, Hungary and the Soviet Union; and a second series was held from 9 to 12 August with the participation of experts from Czechoslovakia, the German Democratic Republic, the Federal Republic of Germany, Hungary, Italy, the Netherlands, Poland, Sweden, the USSR, the United Kingdom and the United States.

179. The delegation of the Soviet Union declared that the development of new types and systems of weapons of mass destruction must be brought to an end by the erection of an insurmountable barrier. This must be done now, the delegation stressed, because it was harder to eliminate from the arsenals of States the types of weapons already in their possession than to prohibit the development and manufacture of means of warfare which were either non-existent at present or were only at the stage of research and experimentation. The setting up of a barrier to the emergence and development of new types of weapons of mass destruction, possibly even more pernicious and devastating than nuclear weapons, would be a means of solving one of today's important tasks. Mankind would be saved from the dangers inherent in the use of scientific progress. The delegation also expressed its readiness to take part in a detailed examination of the specific categories of weapons that must be covered by the ban. If new areas of development and manufacture of such weapons not covered by the agreement emerged later, the parties should conduct subsequent negotiations with a view to extending the prohibition to cover such potential new types and systems of weapons (CCD/PV.688).

180. This general position was supported by the delegations of Poland (CCD/PV.692), Hungary (CCD/PV.693), Bulgaria (CCD/PV.694 and 708), Mongolia (CCD/694 and 712), Czechoslovakia (CCD/PV.695), Yugoslavia (CCD/PV.697) and the German Democratic Republic (CCD/PV.698). The delegation of Iran also supported the proposal (CCD/PV.690).

181. The delegation of Poland also expressed the hope that, although some members of the Committee had not supported the proposal of the Soviet Union in the General Assembly, they would co-operate in the examination of the question in the Committee, beginning with active involvement in the group of governmental experts (CCD/PV.692). This view was shared by the delegation of the German Democratic Republic (CCD/PV.698).

182. The delegation of Hungary added that the Soviet draft agreement on the prohibition of new weapons was, like the convention on environmental warfare (see Part III), essentially of a preventive nature; a stimulus of a technical nature was now operating, aimed at the improvement and modernization of the weaponry in question (CCD/PV.693).

183. The delegation of Bulgaria held the view that, while all disarmament negotiations had heretofore focussed on quantitative limitations, there was general recognition that qualitative limitations were also necessary and that the first task should be that of defining the types and systems of weapons to be included in the proposed ban in specific terms (CCD/PV.694).

184. The delegation of the German Democratic Republic called the proposed ban a key issue in the efforts to limit the arms race, the implementation of which could favourably influence further measures of arms limitation and disarmament, including those under consideration at the strategic arms limitation talks (SALT), enhance confidence among States, and shift considerable financial, scientific and technological means from military to peaceful uses, including support for developing countries (CCD/PV.698).

185. With regard to the discussion at the first series of informal expert meetings, the delegations of Mongolia (CCD/PV.702), Bulgaria (CCD/PV.703) and the Soviet Union (CCD/PV.704) expressed appreciation to the participating experts, holding that the informal meetings had helped the Committee to obtain a clearer picture of the technical aspects of the problem, particularly the definition of new weapons, despite the lack of co-operation of other scientifically advanced States in solving the problem. Czechoslovakia also expressed appreciation for the second series of meetings, stressing the ever-accelerating rate of scientific and technical progress.

186. The delegation of the Soviet Union further noted that the Soviet experts had stressed at these informal meetings that the proposed ban should apply to new weapons of mass destruction which were based on physical, chemical and biological principles other than those of any of the types and systems of such weapons in existence at the time of entry into force of the proposed agreement. The actual definition of such weapons could be worked out only through the joint efforts of many States, and,

above all, of the most developed from the scientific and technical standpoint. The delegation held that the approaches proposed by Soviet experts for the solution of the problem in question, together with a list of certain new types of such weapons, constituted a constructive contribution to the formulation of the important provisions of the agreement (CCD/PV.704). The delegation also hoped that the initial consideration of the matter would encourage more active participation in the second series of meetings it was proposing (CCD/PV.705).

187. The delegation of Mongolia held that these meetings, as well as Committee discussions on the subject, had provided a better appreciation and a clearer picture of the dangers and technical aspects of the problem (CCD/PV.712). The delegations of both Mongolia and the German Democratic Republic (CCD/PV.709) also welcomed the intention of the United Kingdom and the United States to participate in the second series of meetings on the subject.

188. The delegation of the United Kingdom, noting that it supported the Soviet proposal on the subject in principle, stressed that it was looking to the originators of the proposal to give a lead on how to tackle this apparently limitless problem (CCD/PV.708).

189. On 3 August, the delegation of the Soviet Union submitted a working paper containing a draft agreement (CCD/511) on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons (CCD/511).

190. After the second series of informal expert meetings on the subject, the delegation of the Soviet Union expressed the view that the meetings had shown that there had been an appreciable increase in the interest of States members of the Committee in considering the Soviet Union's proposal, as witnessed by the participation in those meetings of governmental experts from members of the Committee. A start had been made on a businesslike and constructive discussion of the definition of new types and systems of weapons of mass destruction. The delegation further pointed out that the Soviet Union had submitted a working paper (CCD/PV.514), which contained the views and suggestions of the Soviet side concerning the approach to the definition of these concepts, together with actual draft definitions. The draft agreement submitted by the Soviet Union and other Socialist States did not cover new variants of traditional systems of weapons developed on the basis of the modernization of existing systems, or of other improvements not leading to qualitatively new principles of action of those systems. The draft definition of new types of weapons of mass destruction proposed by the Soviet Union had a universal character. Obviously,

some of these types of weapons might already be covered by existing agreements or agreements now in course of preparation and, naturally, this circumstance must be taken into account when formulating provisions on the scope of the prohibition embodied in the agreement on new types of weapons of mass destruction and new systems of such weapons. At the present time, it might be said that the agreement on new types and systems of weapons of mass destruction should provide for such an exception in respect of biological means of action, which were already prohibited in existing conventions. With regard to chemical agents, the comprehensive approach to a solution of this problem proposed by the socialist countries had so far met with objections. Of course, any possible agreement in this field, including even a partial one, must also be taken into account in defining the scope of the prohibition embodied in the agreement. Such an approach must also be adopted towards means of producing an effect on the human environment, having regard to the negotiations now in progress on a convention on the prohibition of military or any other hostile use of environmental modification techniques. The delegation further stressed that consideration of the question of banning the development and manufacture of new types of weapons of mass destruction should be continued (CCD/PV.721).

191. The delegation of Hungary hoped that more delegations would help accelerate the elaboration of a draft agreement on the subject (CCD/PV.721).

192. The delegation of the United States, noting the complexity of the proposal of the Soviet Union on new types and systems of weapons of mass destruction, held that it remained conceptually elusive and that further efforts must be made to establish a clear and generally accepted foundation, as well as to ensure a harmonious relationship with existing agreements and negotiations, particularly those relating to nuclear, chemical, biological and environmental warfare. For example, with respect to one development which had been cited, the United States delegation stated the view that recombinant DNA techniques (also popularly known as "genetic engineering") were included within the scope of prohibition of the Biological Weapons Convention, based both on its specific language and its negotiating history. The delegation added that the United States had not come to a policy decision regarding a possible treaty of the type proposed by the Soviet Union, and would give the proposal careful attention (CCD/PV.721).

193. The delegation of the United Kingdom, again noting that the United Kingdom had no research development programme for new weapons of mass destruction, considered the expert meetings on the subject to have been useful. The delegation expressed the view, however, that potential mass destruction weapons either fell within existing atomic, biological and chemical weapons or were thought to spring from branches of science which would require many years of research before there could be a real threat of the military use of such weapons; atomic, biological and chemical weapons were the subject of agreements already achieved or under negotiation and these negotiations should not be complicated by the introduction of an overlapping category within the term "new weapons of mass destruction"; to ensure that such new weapons did not emerge through peaceful scientific research, the United Nations or the Conference of the Committee on Disarmament could consider new scientific developments as they arose (CCD/PV.721).

194. The delegation of Sweden also stated that, although many problems related to the prohibition of weapons of mass destruction were still unresolved, the recent expert meetings on the subject had been useful. It added the view that, on the basis of the 1948 definition of mass destruction weapons by the United Nations, which had not been seriously challenged, two conclusions could be drawn with respect to the proposal of the Soviet Union: (a) atomic, biological and chemical weapons were already considered to be mass destruction weapons and should, therefore, not be covered by the proposal, as they were already covered by agreements in existence or being negotiated; and (b) future weapons with the destructive capability of such weapons should also be considered to be weapons of mass destruction (CCD/PV.721).

195. The delegation of the Soviet Union continued to hold that, although interest in the subject was increasing, some delegations had not yet fully recognized the relevance of its highly important new proposal. The delegation also further clarified the approach used in elaborating the definition of mass destruction weapons in its working paper CCD/514 and provided some concrete examples of such weapons (CCD/PV.721).

196. The delegations of Poland (CCD/PV.722) and Bulgaria (CCD/PV.722) welcomed the results of the second series of informal expert meetings on the subject. They stressed that they could not agree with those experts who had advanced the theory that action to prohibit new weapons of mass destruction should be taken only when and if such new weapons were on the drawing boards, since the primary objective of such action was to prevent such weapons ever reaching the stage of the drawing board.

The delegation of Poland stressed, however, that it had taken positive note of many constructive views and statements concerning the purpose of the prohibition of new weapons, including one statement which recalled the commitment under international law not to manufacture so-called ABC (atomic, biological and chemical) weapons and which stressed the intention not to engage in the production of such types of weapons as could fall under the heading of new weapons of mass destruction. The delegation of Bulgaria also specifically described the working paper of the Soviet Union (CCD/514) as a good basis for elaborating definitions of weapons to be banned that would be acceptable to all. It pointed out that the 1948 United Nations resolution mentioned by some delegations gave only an illustrative list of weapons of mass destruction and did not contain a definition of such weapons for the purposes of a legal instrument.

197. The delegation of Italy noted with interest the results of the informal expert meetings on the subject, as well as the Soviet Union's working paper on the definitions of new destructive weapons and its declaration that a ban on military research and development would not hamper such activities directed towards peaceful uses.

198. At the 727th meeting on 3 September 1976, the Committee decided to hold unofficial meetings with the participation of experts on the question of new types and systems of weapons of mass destruction at its 1977 spring session, the date of the first meeting to be determined at the beginning of that session. The Committee took note of the proposal of the delegation of the USSR to start these meetings on 14 March 1977.

C. Other collateral measures

199. A number of members also commented on the collateral questions of reduction of military budgets, European security and reduction of forces, and limitations of conventional arms and the arms trade.

200. The delegation of the Federal Republic of Germany noted that, following the good work done by a first group of experts in 1974, efforts towards the reduction of military budgets must be continued if what had been achieved so far was not to be in vain. It would have been preferable, however, the delegation held, if the second expert group meeting in 1976 had worked under the auspices of the Committee as the group of government experts on nuclear weapon free zones had done in 1975 (CCD/PV.696 and 715).

201. The delegations of the Soviet Union (see paragraph 215) and Poland (CCD/PV.715) also drew particular attention to the importance of reducing military budgets.

202. The delegation of the United Kingdom, referring to the 1974 Experts' Report on the subject[2] as a useful basis for further study and discussion, held that the establishment of common criteria for measuring military expenditure and the publication by Governments of more detailed information on their budgets would be a useful contribution. It hoped that the countries of Eastern Europe would participate in the second working group of experts appointed by the Secretary-General of the United Nations and now seeking agreed solutions to the problem of definition and comparison of national defence budgets, particularly since the useful exercise on the reduction of military budgets stemmed from an initiative of the Soviet Union (CCD/PV.708).

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203. The delegation of Poland called for the successful conclusion of the Vienna talks on the reduction of armed forces and armaments in Central Europe and recalled that the Polish United Workers Party, at its Seventh Congress, had stressed inter alia the need to extend détente to the military sphere and to take real steps to halt the arms race and towards disarmament, as well as Poland's intention, in striving to bring down the level of military confrontation on the basis of equal security of all parties, to seek a successful conclusion of the Vienna negotiations (CCD/PV.692).

204. The delegation of Mongolia held that the talks on mutual force reductions in Europe were important and a positive outcome would constitute a major contribution to the translation into reality of the provisions and spirit of the Final Act of the Conference on Security and Co-operation in Europe (CCD/PV.694).

205. The delegation of Czechoslovakia noted that the policy of the socialist States to strengthen peace through disarmament had been shown clearly during the Conference on Security and Co-operation in Europe, the Final Act of which also addressed itself to various aspects of disarmament (CCD/PV.695).

206. The delegation of Bulgaria also pointed out that, in Europe, implementation had begun of the confidence-building measures, i.e. prior notification of military manoeuvres, invitation of observers to such manoeuvres, etc. adopted at the Conference on Security and Co-operation in Europe with a view to lessening tensions and promiting disarmament.

207. The delegations of Czechoslovakia (CCD/PV.695) and the German Democratic Republic (CCD/PV.709) also called for a successful conclusion of the mutual force reduction talks. (For the comment of the Soviet Union on intensification of the negotiations on mutual force reductions, see paragraph   below).

208. The delegation of Italy stressed the interest of Italy in the mutual force reduction talks (CCD/PV.714).

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[2] Official Records of the General Assembly, twenty-ninth session, (A/9770/Rev.1).

209. The question of limitations on the transfer of conventional arms was raised in this year's session largely by the delegations of the United States and the United Kingdom. In its initial statement on the subject, the United States delegation expressed the view that the question of developing regional agreements to constrain conventional arms had not yet received the serious attention it deserved. Reiterating the principles it would like to see followed in the issue and expressing its understanding of the concern of those who believed such measures would adversely affect their security, the delegation held that constructive constraints on the international arms trade would in fact enhance the security of all countries and, in the long run, might permit States to shift resources from defence to development. In this regard, the delegation noted, the United States (a) had been exploring the possibilities of greater co-operation on controls among arms suppliers; (b) had restricted the transfer of missiles and high-performance aircraft in most regions; (c) had limited the export of weapons of particular use to terrorists; (d) continued to support regional efforts to reach agreement among recipient nations to limit their imports of arms, such as the ongoing discussions among certain Latin American States; and (e) had made available to the public solid facts about United States arms shipments. With particular regard to the regional approach, the delegation held that it offered more promise than a worldwide scheme because of varying regional conditions and the particular role of military alliances in certain regions. Such regional accords, the delegation further held, could take the form of formal agreements or tacit undertakings among recipients, supplier States or a combination of both; to this end, countries comprising a region might adopt numerical ceilings on particular types of advanced weapon systems or agree not to acquire destabilizing systems not yet introduced into the area (CCD/PV.716).

210. The delegation of the Federal Republic of Germany also raised the question of conventional arms and drew attention to certain developments influencing the regional balance of armaments. A regional approach to partial measures of disarmament would raise the level of security and confidence in these regions, the delegation held, and set free resources which were indispensible for development (CCD/PV.715).

211. The delegation of the United Kingdom welcomed the principles for the transfer of conventional arms set forth by the United States, as well as a suggestion of Ghana in the United Nations General Assembly that regional committees on conventional disarmament be established. Arrangements to limit the exportation of arms, the delegation further

stated, should be complemented by measures to limit their importation, as indicated in the Declaration of Ayacucho issued by a group of Latin American States; all States should reduce their armed forces through adequately verifiable agreements (CCD/PV.708).

212. Other statements on the subject are referred to in the sections on the Disarmament Decade and on the organization of the Committee's work, below.

213. The delegation of Nigeria stated that it could not agree with the United States that the emphasis of the Committee's work should be shifted from the overall problem of halting the nuclear arms race and of achieving general and complete disarmament to such questions as the arms trade (CCD/PV.717).

D. Question of general and complete disarmament

214. Most delegations made direct or indirect comment on the question of general and complete disarmament under strict and effective control, including the related aspects of disarmament and development, organization of the Committee's work, and in particular the Disarmament Decade of the 1970's, of which the United Nations General Assembly, in its resolution 3470 (XXX), had requested the Committee to carry out a mid-term review.

215. On the subject of general and complete disarmament, the delegation of the Soviet Union noted that the report of the Central Committee of the Communist Party of the Soviet Union, approved by the 25th Congress of the Party had emphasized that the main task of the USSR in the field of disarmament was to eliminate the dangers inherent in the continuation of the arms race, with the ultimate objective of general and complete disarmament. That report, the delegation added, had mentioned the following specific problems as requiring solution: (a) achievement of a new agreement between the Soviet Union and the United States on the limitation and reduction of strategic weapons, the conclusion of international agreements on a comprehensive test ban, a chemical weapons ban, prohibition of new weapons of mass destruction, and prohibition of environmental warfare; (b) intensification of the negotiations on mutual force reductions in Central Europe, and after agreement on the first concrete steps in that direction, continuation of efforts towards military détente in that region; (c) systematic reduction of the present ever-increasing military expenditure of many States; and (d) the convening of a world disarmament conference at the earliest possible date (CCD/PV.692).

216. The delegation of the German Democratic Republic also noted that the Socialist Unity Party of Germany had, at its recent 9th Congress, supported the programme in the field of disarmament approved by the 25th Congress of the Communist Party of the Soviet Union (CCD/PV.709). Referring to the same programme, which was fully endorsed by the XIth Congress of the Bulgarian Communist Party, the Bulgarian delegation expressed the view that it would exert profound influence in the years to come over the whole range of disarmament negotiations (CCD/PV.722).

217. The delegation of Czechoslovakia noted that the recent 15th Congress of the Communist Party of Czechoslovakia had stressed the need for disarmament and also expressed its support for the document of the conference of the Communist and Workers' Parties in Berlin and the Declaration of the World Peace Council emphasizing the questions of disarmament (CCD/PV.717).

218. The delegation of Brazil, while recognizing that partial measures could play a part in broadening areas of understanding, expressed concern that multilateral negotiations on general disarmament were at a standstill while bilateral disarmament negotiations remained confined to the field of arms control and limitation of armaments (CCD/PV.724).

219. Many other delegations also continued to recognize general and complete disarmament as the ultimate goal of disarmament, but most commented on it in the context of a world disarmament conference or the Disarmament Decade (see below).

220. Late in the session, the delegation of Mexico called attention to the fact that the Fifth Conference of Heads of State and Government of the Non-Aligned Countries had called for general and complete disarmament, particularly nuclear disarmament, including a comprehensive nuclear weapon test ban and a renunciation of the use or threat of use of nuclear, chemical and bacteriological weapons, or other weapons of mass destruction. The Conference had, among other things, also declared the arms race incompatible with the efforts under way to achieve a new international economic order, had again stressed the urgent need for a world disarmament conference, and had recommended the non-aligned States to request a special session of the United Nations General Assembly on Disarmament, to be held no later than 1978 to consider, among other things, the question of convening a world disarmament conference.

World disarmament conference

221. With particular regard to the question of a world disarmament conference, the delegation of Iran noted that the consensus required in the Ad Hoc Committee on the conference had slowed its work discouragingly, but held that there was evidence of increasing understanding, and that the two distinct approaches specified in the Committee's report might help to determine how the conference could eventually be organized (CCD/PV.690).

222. The delegation of Poland noted that at its recent Congress, the Polish United Workers' Party had declared that it was important to convene a world disarmament conference (CCD/PV.692) and held that such a conference would be the best forum for all countries of the world to discharge their responsibility to achieve effective and early progress towards disarmament (CCD/PV.715).

223. The delegations of Poland (CCD/PV.692), Mongolia (CCD/PV.694), the German Democratic Republic (CCD/PV.709) and Czechoslovakia (CCD/PV.717) also confirmed their support for such a conference.

224. The Soviet delegation mentioned that at such conference it would be possible to compare the points of view of all States on problems of disarmament and to discuss them both as a whole and from the standpoint of their individual aspects (CCD/PV.715).

225. The delegation of Yugoslavia expressed the view that the discouraging picture of disarmament efforts was the basic reason why the attention of the United Nations was directed to new approaches which might lead to progress, such as a world disarmament conference, a basic review of the disarmament role of the United Nations and the convening of a special session of the General Assembly (CCD/PV.697).

226. The delegations of the United Kingdom (CCD/PV.708) and Italy (CCD/PV.714) reiterated their support for a world disarmament conference if it was well prepared and if all nuclear weapon Powers participated in it.

Mid-term review of the Disarmament Decade

227. Early in the session, the delegations of Mexico (CCD/PV.688), Romania (CCD/PV.691) and Nigeria (CCD/PV.693) reminded the Committee of General Assembly resolution 3470 (XXX) on the mid-term review of the Disarmament Decade; and the Committee decided to devote three plenary meetings, from 20 to 27 July 1976, primarily to the discussion of this subject.

228. The delegation of Romania stressed the view that, during the first five years of the Disarmament Decade, the negotiations on disarmament had not yielded the expected results and that it was disturbing that the arms race had continued to grow and accelerate during that period.

229. The delegation urged the Committee, in the mid-term review of the Decade requested by the General Assembly in resolution 3470 (XXX), to focus on its obligations under that resolution to elaborate a programme for general and complete disarmament under effective international control (CCD/PV.712). Recalling the suggestions in Romania's working paper (CCD/449 and A/C.1/1066) the delegation again stressed the need for a treaty on general and complete disarmament elaborated with the participation of all States on an equal basis (CCD/PV.714).

230. The delegation of Nigeria, after reiterating its concern over the lack of disarmament progress in the Committee, held that the continued and accelerating diversion of resources to armaments, particularly to nuclear arms, was contrary to the spirit and programme of the Disarmament Decade. It further held that the Committee had not addressed itself sufficiently to duties incumbent upon it under General Assembly resolution 2602 E (XXIV) proclaiming the Disarmament Decade and that it should give immediate and consistent attention to the primary objective of the Decade, namely to halt the arms race and to adopt concrete measures of disarmament. In so doing, the Committee should (a) adopt a comprehensive programme of specific negotiations, beginning with a comprehensive nuclear weapon test ban and the prohibition of chemical weapons and with established priorities for negotiating other measures; (b) reaffirm its role as the only forum for multilateral negotiations in the field of arms control and disarmament; (c) strive, in view of the meagre achievements during the first half of the Decade, to rekindle hopes in the virtues of non-proliferation of nuclear weapons and disarmament during the second half; (d) take a fresh look at its Provisional Agenda approved in 1968 and to update it, as required, as a basis for its work beginning in 1977; (e) appeal to the Soviet Union and the United States to review their respective draft treaties on general and complete disarmament submitted in 1962 with a view to revising and updating them for resubmission to the Committee for serious negotiation; (f) make a serious effort to study and synthesize all disarmament proposals before it with a view to comparing them and elaborating appropriate drafts as a basis for negotiations;

(g) make a survey of multilateral disarmament proposals, such as those put forward by the Conference of the Non-Nuclear-Weapon States in 1968, in order to relate them to its programme and priorities of work; (h) make a greater effort to follow disarmament negotiations in other fora in order to fulfil its responsibilities more adequately; (i) after adoption of a comprehensive programme and a viable method of work, decide upon a precise schedule for the negotiation and implementation of specific disarmament agreements, bearing in mind the need to create procedures for periodic review of its tasks and duties; (j) evolve a procedure whereby concerned non-member Governments and international organizations could address the Committee or submit their proposals to it; (k) consider anew the advisability of addressing appeals to the two non-participating nuclear-weapon States to participate in the Committee's work; (l) consider forging closer links with the United Nations Secretariat in order to fulfil its responsibilities to the United Nations more efficiently and to use United Nations facilities to provide the public with more in-depth information on the Committee's activities on a regular basis; (m) publish periodic reports in order to inform the general public of its activities at given sessions (CCD/PV.713). Nigeria also submitted a working paper (CCD/510) reflecting a number of these views. The delegation of Romania endorsed the Nigerian suggestion concerning the adoption of a programme of priority tasks, which it held would stimulate the will of States to make decisions with regard to disarmament (CCD/PV.714). The delegation of Yugoslavia also supported the proposal of Nigeria (CCD/PV.714).

231. The delegation of Sweden urged the Committee not to shirk its responsibility to contribute to making the link between the Disarmament Decade and the Second Development Decade truly meaningful and, in so doing, to maintain contact with the Committee for Development Planning (CDP), which was preparing a report on disarmament and development and had recently concluded that the single most significant obstacle to development efforts was the unjustifiably high world-wide military expenditure and allocation of scarce technical manpower to military activities. The delegation further held that the disproportionate amounts being allocated for military purposes, as compared to economic and social purposes, was resulting in increasing world poverty and destitution. Referring to General Assembly resolution 3470 (XXX), which called for an intensification of disarmament efforts and the redirection of the resources thus released to economic and social purposes, to various reports of the United Nations on the subject of the economic and social consequence of the arms race and of disarmament and the relationship between disarmament and development, and to the

goals set by the developing countries themselves at their annual conferences, the delegation also stressed the responsibility of the developed countries to supplement the limited resources available to meet the basic needs of the less favoured regions of the world (CCD/PV.714).

232. The delegation of Italy stressed its constant support for a comprehensive disarmament programme and for any proposal which might help the cause of disarmament. Noting that the major responsibility in the field of disarmament lay with the major nuclear Powers, the delegation hoped that the Committee's discussion of the Disarmament Decade would make a positive contribution to the cause of a more balanced distribution of world economic resources (CCD/PV.714).

233. The delegation of the United States, while stressing the achievements of the Committee, recognized that many urgent problems remained unsolved and reiterated the commitment of the United States to general and complete disarmament under effective international control. To achieve this goal, however, the delegation held, the Committee must not take an all-or-nothing approach without regard to world realities, but should build on each achievement by seeking a solution to other questions ready for concrete action. The delegation further stressed that the solution to nuclear disarmament must be sought in a context of world security that also encompassed conventional disarmament, a subject to which the Committee should pay more attention. Consideration of such items, which were ready for action, would result in greater progress than could be achieved by seeking to set timetables, priorities and a more rigid organization of work (CCD/PV.714).

234. The delegation of the United Kingdom, while recognizing the need for periodic assessment of the work done and remaining to be done by the Committee, emphasized that past achievements should not be belittled and that reorganization was not a substitute for the substance of the Committee's work. In general, it shared the view of the United States, that the Committee might introduce a greater balance and sense of relevance to its work by actively considering the question of conventional arms transfers (CCD/PV.714).

235. The delegation of India recognized that the international instruments negotiated or being negotiated in the Committee were not insignificant; nevertheless, the Committee must not lose sight of the fact that its task of highest priority was to negotiate treaties and conventions relating to the cessation of the nuclear arms race and to nuclear disarmament (CCD/PV.715).

236. The delegation of Poland held that it was not realistic to expect all problems concerning disarmament to be overcome by the end of the Disarmament Decade and that, while there were some grounds for dissatisfaction, the progress achieved must not be ignored. While reiterating its commitment to general and complete disarmament under effective international control, it held that a step-by-step approach was the only practical and effective way to reach the desired goal. Maintaining that the Disarmament Decade could hardly succeed without a significant reduction in the staggering world arms expenditures, the delegation indicated that the Soviet proposal for the reduction of military budgets would be the best way of achieving the goal and demonstrating in a tangible way the close link between the Disarmament Decade and the Development Decade (CCD/PV.715).

237. The delegation of Czechoslovakia stressed the growth of military expenditure in the developing countries (CCD/PV.695) and held that the proposal to ban new types and systems of weapons was one of the best contributions to the Disarmament Decade (CCD/PV.717).

238. The delegation of the Soviet Union held that the results achieved in the first half of the Disarmament Decade were substantial. The first half of the 1970s had been the most productive period in the whole of the post-war era. However, if further goals in the field of disarmament were borne in mind, it must be said that the existing positive developments were not altogether satisfactory. The arms race, although limited in certain specific aspects, was still continuing; and both developed and developing countries were becoming involved in it. This was an obstacle to détente and to the strengthening of relations among States, the delegation added. Vast human and material resources were being diverted from the peaceful and constructive tasks facing States; and this was occurring in conditions in which, in many regions of the world, the most elementary and vital problems of normal human existence had not yet been solved. The approach of the Soviet Union was that, while not losing sight of the main goal - general and complete disarmament - it would tirelessly look for directions and areas in which, on the basis of joint efforts by States, early and concrete results could be achieved. Among the tasks of great importance, the delegation concluded, was the renunciation of the use or threat of force in the settlement of disputes, an issue to which the Soviet Union had given concrete form in 1976 by proposing the conclusion of a world treaty on the non-use of force in international relations. The Soviet Union was ready to consider, together with other States, practical steps for the implementation of this proposal (CCD/PV.715).

239. The delegation of Japan also recognized the achievements of the first half of the Decade, but held that progress during the period had not adequately reflected the expectations held at the time the Decade was declared, particularly with regard to nuclear disarmament, including a comprehensive nuclear weapon test ban and the prohibition of chemical weapons. With respect to the latter two issues, the delegation, while urging the United States and the USSR, which it considered to have major responsibility in this regard, to make further efforts to reach the necessary political decisions to make agreements possible, emphasized that the Committee must make an elaborate study of the specialized and technical aspects in order to provide a solid groundwork on which political decisions could be made by the United States and the USSR. During the remaining period of the Decade, the delegation suggested, the Committee should, in addition to completing its work on a convention banning environmental warfare, achieve a ban on chemical weapons and a comprehensive test ban and, as a preliminary step to the latter, reduce the threshold in the bilateral Threshold Test Ban Treaty and expand it into a multilateral agreement (CCD/PV.715).

240. The delegation of the Federal Republic of Germany also stressed the importance of a step-by-step approach without losing sight of the goal of general and complete disarmament. With particular regard to disarmament and development, the delegation held that progress should be sought in each field independently of the other. With respect to the Nigerian proposal to adopt a comprehensive disarmament programme in 1977, the delegation stressed the view that, in considering the priority of disarmament measures, it was also necessary to consider their feasibility (CCD/PV.715).

241. The delegation of Bulgaria, in referring to the mid-term review, noted the progress already achieved in the field of disarmament and expressed the belief that the process of détente was creating favourable conditions for consolidating such progress (CCD/PV.722).

242. The delegation of Romania, supporting the assessment of the situation contained in the Nigerian document on the subject (CCD/510), held that the Committee should begin elaborating a comprehensive disarmament programme at its 1977 session (CCD/PV.722).

243. Late in the session, the delegation of Nigeria urged the Committee to meet more fully the requirement of General Assembly resolution 3470 (XXX) concerning the Disarmament Decade by submitting conclusions on their review and reappraisal of the present solution. Such conclusions should include how the Committee intended to proceed with the work in future sessions and could also discharge the Committee's

obligation to the General Assembly to consider the reorganization and procedures of its work. To this end, the delegation urged the Committee to adopt, as the basis of its conclusions, the working paper submitted by Nigeria (see para.   above).

244. On 2 September 1976, the Committee took the following decision:

> Taking into account the recommendation made by the delegation of Nigeria in its "Working Paper on Conclusions of the Mid-Term Review of the Disarmament Decade (CCD/510), the Committee decided to consider, during its 1977 session, the question of a comprehensive programme dealing with all aspects of the problem of the cessation of the arms race and general and complete disarmament under strict and effective international control, in accordance with General Assembly resolution 2602 E (XXIV) proclaiming the Disarmament Decade.

245. The question of disarmament and development was discussed by a number of members, again most often in the context of the Disarmament Decade.

246. The delegation of Mexico, in particular, stressed that vast sums were being spent in an ever-spiralling arms race that was incompatible with efforts to establish a new international economic order (CCD/PV.688). The delegation of Romania (CCD/PV.691), Nigeria (CCD/PV.693), Yugoslavia (CCD/PV.697), Sweden (CCD/PV.712) and India (CCD/PV.715) also stressed the ever-increasing military expenditures and the need to divert such expenditures to development.

E. Organization of the Work of the Committee

247. Many delegations also commented on the question of the organization of the Committee's work and participation in it. In accordance with the decision taken by the 1975 session of the Committee that the Committee would organize its work at the beginning of the 1976 session, the question of the Committee's organization and procedures was taken up early at the spring session and six informal meetings were held on the subject, at the initiative of Romania, from 5 March to 2 April (see paras. 7 and 8). At these informal meetings, the fifteen non-aligned members proposed with respect to the Committee's work in 1976 (a) the setting up of a sub-committee, (b) preparation of the first draft of the Committee's annual report by the Secretariat, and (c) the inclusion in the communiqués issued after each plenary meeting of a brief factual summary of the substance of the discussions at the meeting.

248. In the plenary meetings, the delegation of the United States, while doubting that altering procedures would facilitate substantive progress in the Committee, held that there was room for improvement in CCD methods, and proposed that the Committee carry out a comprehensive review of the procedures during the 1976 session, including the organization of its work for the session and the format of the annual report. The delegation questioned the utility of dealing with procedural matters on a piecemeal basis, and stated that if, after a comprehensive and thorough review, the Committee decided to make changes in its procedures, it would then be highly desirable to codify in writing all Committee procedures, as revised, in a single set of rules. The delegation also stressed that it should not be forgotten that the Committee was unique in its substantive functions as a disarmament negotiating body. Therefore, in examining the possibilities of procedural reform, the Committee should take care not to detract from the Committee's usefulness by seeking to make it conform with some abstract model of an international committee, but should rather be guided by the objective of ensuring that it discharged its unique responsibilities as effectively as possible (CCD/PV.688).

249. The delegation of Mexico emphasized that, in order to achieve positive results, the Committee should make some changes in its traditional procedure. The delegation stated that the greater efficiency realized in the latter part of the 1975 session pointed to the need of establishing a sub-committee of the Conference at the outset of this year's work. It noted that the Ad Hoc Expert Group on nuclear-weapon-free zones had, in practice, operated as a sub-committee. The delegation stressed that the results obtained through that procedure indicated the desirability of making the necessary changes in it and of duly institutionalizing it for the current year's work (CCD/PV.688).

250. The delegation of Sweden also regretted that the Committee had not been able to register progress in the important tasks entrusted to it and held that, at its 1976 session, it should give priority to the questions of a comprehensive test ban, a ban on chemical weapons and to organization of the Committee's work, in that order. The delegation stressed, in particular, that the discussion of the latter point was relevant to the review of the role of the United Nations in disarmament currently under way in the Committee established for that purpose by the United Nations General Assembly. The delegation supported the United States view that steps to

improve the work of the Committee should not be taken on a piecemeal basis but through a comprehensive review of its structure and methods of work. It also urged that the report of the Committee present the extensive material emanating from each session, as well as any agreed conclusions, in a more analytical manner than had been the case in the past (CCD/PV.689).

251. The delegation of Romania, noting that the unprecedented number of resolutions transmitted to the Committee by the General Assembly indicated the great volume of work which the Committee had before it, also supported the United States suggestion that the Committee should undertake a comprehensive review of its institutional and procedural arrangements, as well as the suggestion of the delegation of Mexico to establish a plenary sub-committee which could deal in the most appropriate manner with specific topics on the Committee's agenda. The delegation of Romania also recalled that the Committee had made a decision at its 1975 session to discuss and decide the format of the Committee's report at the beginning of the 1976 session (CCD/PV.689).

252. In a later amplification of its views, the delegation of Romania further maintained that, even though it recognized the importance of political will and the special responsibilities of the great Powers, the Committee's organization and procedures must be improved. Romania's views on the Committee's role and the methods of work, the delegation explained, were based on the fact that the Committee was the only all-embracing multilateral body specializing in disarmament negotiations, that it was the only body which had received a mandate from the United Nations to pursue such negotiations, and that it provided the basis for broad co-ordination of governmental efforts; at the same time, the commitment of all States was essential for disarmament progress, and the United Nations offered the best framework for such a commitment because all countries were represented in it. The Committee's work must follow the priorities set by the United Nations General Assembly and establish rational procedures to achieve its goals, the delegation held; such procedures should not be unalterable and should always provide a basis for greater efficiency (CCD/PV.691).

253. The delegation of Nigeria, noting that none of the twenty-five resolutions of the thirtieth General Assembly had commended the work of the Committee and that all reflected the view that disarmament was no longer the exclusive responsibility of a few States, held that the Committee should have imposed its moral authority to examine critically, to be briefed officially and to monitor what was being done elsewhere in the disarmament field. The delegation also stressed that the Committee should adopt a more realistic and flexible method of work. In carrying out the

projected review of its work, the Committee should focus on its 1968 agenda and on the agreed principles of negotiations of 1961, determine priorities for its work and formulate more pragmatic rules of procedure. In so doing, it should: (a) determine its agenda and timetable of work from the outset of its work in a given session, with the help of an annotated agenda prepared either by the Co-Chairmen or the Secretariat; (b) forge a more formal link with the General Assembly, thereby underlining the role of the United Nations in all disarmament matters, possibly by giving the Special Representative of the Secretary-General a more active role to play in deliberations, and of disseminating such information and documentation as might be necessary for the Committee, including a synoptic report each session on all other activities taking place in the field of disarmament; and (c) demonstrate its responsiveness to the concern of all mankind for disarmament, as repeatedly requested by the General Assembly (CCD/PV.693).

254. The delegation of Yugoslavia, while recognizing that no progress was possible if the views of the United States and the Soviet Union were not harmonized, held that progress depended also on the method and organization of work. It would be far more purposeful, the delegation maintained, if the Committee negotiated only a single or, if need be, two items at the same time. This could be done in the course of several years, if necessary, but each year the Committee should show concrete results. If it proved impossible to come to an agreement, the Committee should say so and explain the reason in its report to the General Assembly. If the Committee accepted such a method of work, its report would probably look less impressive, but its results might prove to be more productive. The delegation added the view that the Committee should not wait until the other two nuclear-weapon States decided to participate in it, regardless of how much the CCD regretted their absence (CCD/PV.697).

255. The delegation of Sweden expressed the view that a change in the system of co-chairmanship was long overdue, and suggested that a tentative solution could be a "bureau" of the Committee consisting of four members, with two members from the western and socialist groups and two from the non-aligned group. The chairmanship of this body could rotate on an annual basis, and one of the members would be appointed rapporteur (CCD/PV.697).

256. The delegation of Iran held that, although there was no doubt that some changes in the institutional and procedural framework of the Committee appeared to be necessary and that the proposal for a comprehensive and thorough review of its procedures was a commendable one, the task of studying this matter and finally adopting new

procedures should be tackled in such a way as not to lose sight of the important fact that such changes or improvements could, at best, marginally affect the solution off the problems with which the Committee was faced. The delegation disagreed with the implication that the Committee needed to spend a great deal of time on procedural matters, at the risk of postponing or even ignoring urgent substantive issues on the Committee agenda (CCD/PV.690).

257. The delegation of Poland stated that, while it would make a constructive contribution to the scheduled discussions on the Committee's organization and welcome any valid improvements that could be made, the Committee could ill afford to ponder these questions at undue length at the expense of urgent and concrete problems on its agenda. The delegation agreed with Iran that any change in the Committee's procedures could, at best, only marginally affect the solution of substantive matters, since the key to progress was the political will of the Committee members (CCD/PV.692).

258. The delegation of Hungary also held that the attention of the Committee should not be diverted from its substantive work by the discussion of organizational and procedural matters. Improvements in procedure could certainly be made, for example, by holding more meetings on the basis of an agreed schedule; however, there was no need for essential changes in the structure and organization of the Committee, which provided a suitable and flexible framework for negotiations (CCD/PV.693).

259. The delegation of the German Democratic Republic, while emphasizing that progress in the field of disarmament depended in the first instance on the political will of States, held that the Committee had never had any difficulty in finding appropriate methods and forms of work at short notice, if agreement in principle on the problems to be solved was reached in advance. It regretted that much time was being given to organizational matters, which meant distracting the Committee from consideration of political questions, and held that it was high time to end the discussion of such matters (CCD/PV.698).

260. The delegation of Czechoslovakia stressed the importance of the political decisions of Governments and the role of consensus in the Committee, as opposed to technical matters (CCD/PV.695).

261. The delegation of the Federal Republic of Germany stated that, while none of the treaties that the Committee had been instrumental in drafting had resulted in a decisive halt to the arms race, it could not agree with those who spoke of a collapse of disarmament and arms control efforts. The delegation held that, despite

the unmistakable evidence of a continuing arms race, nothing would be more dangerous than resignation and that, although procedural shortcomings were in evidence, these were not the fundamental reason for lack of progress. Changes in structures, procedures and forums for the sake of change alone would not favourably affect the substance of negotiations. The delegation hoped that the debate on the subject would be realistic and that the Committee could reach broad agreement in 1976 on the fundamental principles of its work and organization (CCD/PV.696).

262. The delegation of the United Kingdom, noting that the Committee was uniquely valuable as a forum for discussing disarmament problems in depth, held that, in seeking to modify its methods, it was important not to neglect substance for form (CCD/PV.708)

263. After informal meetings on Committee organization had been held, the delegation of the United States expressed the view that these meetings had resulted in substantial progress towards agreement, if only on a provisional basis, on the CCD report and communiqué, but it noted that the inability to achieve consensus on the question of a sub-committee had prevented the Committee from taking a formal decision on these matters. The delay was no cause for concern, however, the delegation held, since changes in procedures, even those that might appear quite minor, might have important implications for the work of the Committee, and therefore deserved careful scrutiny and must be based on a consensus. The CCD could solve the remaining difficulties at an early date, individually, as a package, or in the context of the comprehensive procedural review. The delegation further held that it would be desirable to establish an informal working body to facilitate the negotiation of the draft convention on environmental warfare at the 1976 session. Whatever such a body was called, it should be established in the opening days of the resumed session; it should have a rotating chairmanship, enjoy the assistance of the Secretariat, be able to request the preparation of whatever records were deemed advisable, and issue whatever reports were considered necessary. The delegation further believed the creation of such a body should not prejudice the work of the comprehensive procedural review (CCD/PV.704).

264 Subsequently, a decision on organizational methods was taken, as described in paragraph 8 above, including the establishment of an informal working group, to assist in negotiating a convention on environmental warfare.

265. The delegation of Romania held that, following certain improvements in the organization of the Committee's work, there was now a clear agenda offering adequate opportunity for effective work in depth. The next step, the delegation added, should be concentration on the main problems before the Committee and formulation of a perspective for the work in the form of an agreed programme of measures to be negotiated in order to achieve the final objective. As an example of such a programme, the delegation outlined the disarmament objectives set forth in the final document of the recent Conference of European Communist and Workers' Parties (CCD/PV.712). The delegation further stated that the CCD's adoption of a work organization plan proved that, where there was a will, generally acceptable solutions could be found (CCD/PV.714).

266 The delegation of the United States agreed that the Committee should carefully follow all arms control and disarmament developments and indicated that the United States was willing to inform the Committee of such developments in other forums. It also held that the Committee should grapple with those multi-national arms control problems that really affect the security and well-being of most nations, such as the build-up of increasingly destructive weapons in areas hitherto free of arms arsenals and the international traffic in such weapons (CCD/PV.716).

267 Near the end of the session, the delegation of Mexico expressed its satisfaction that the Committee had accepted the Mexican suggestion for the creation of a sub-committee, even though it had been designated a Working Group, and that the Committee had held some 20 informal sessions in the course of the session. It had thus been fully proved that the Committee, with the help of the Working Group, was able to carry out effectively its disarmament negotiation tasks from a procedural point of view; unfortunately, however, the lack of political will on the part of the two major nuclear Powers to undertake true disarmament measures had also been demonstrated once again, as reflected in the draft of the Committee's annual report prepared by the Secretariat. The double conclusion to be drawn, was (a) that the agreed improvements in the text of the draft convention on environmental warfare were merely cosmetic and (b) that the Committee had completely ignored the request of the General Assembly that it give highest priority to the negotiation of a comprehensive nuclear weapon test ban (General Assembly resolution 3466 (XXX)) and had paid only superficial attention to the Assembly's request to achieve early agreement on the prohibition of all chemical

weapons (General Assembly resolution 3465 (XXX)). The delegation also stressed that, despite lengthy debates on the subject, the Committee had not made any significant or permanent modifications in its procedures; and it was convinced that agreement could easily be reached, for example, on charging the Secretariat permanently with the preparation of the draft of the Committee's annual report and on the institutionalization of the Working Group. In this light and that of General Assembly resolution 3470 (XXX), requesting the Committee to reappraise its tasks and duties in the light of the implementation of the objectives of the Disarmament Decade, the delegation supported a resumption of consideration of the question of the overall review of the procedures and structure of the Committee at the beginning of the 1977 session (CCD/PV.724).

268. The delegation of Nigeria held that, in connexion with its discussions of the organization of its work, the Committee should indicate its plans for determining future priorities and for implementing agreed rules of procedure; and it reiterated the Nigerian view that, to that end, the Committee should elaborate a comprehensive disarmament programme at the beginning of the 1977 session (CCD/PV.724).

269. The delegation of Japan noted that, as nuclear arms control and disarmament of the United States and the Soviet Union progressed, as was to be hoped, it would become necessary to ensure the participation of the other nuclear-weapon States in nuclear disarmament negotiations, and expressed the hope that China and France would join the Committee (CCD/PV.692). It was essential for all nuclear-weapon States to adhere to all disarmament agreements, including the Non-Proliferation Treaty, and participate in the Committee's work (CCD/PV.705).

270. The delegations of Mongolia (CCD/PV.694), the Soviet Union (CCD/PV.695), the German Democratic Republic (CCD/PV.698) and Bulgaria (CCD/PV.708) also stressed the need for all nuclear-weapon States to participate in disarmament negotiations.

271. The delegation of the USSR observed that the results of the Committee's work at its summer session were fresh proof of the adequacy and effectiveness of its working procedures. The wide range of procedures and methods adopted - formal plenary meetings, informal meetings with the participation of technical experts, the establishment of working groups, the organization of bilateral and multilateral informal consultations, etc. - ensured full, democratic and constructive examination of disarmament problems. The Committee's concentration on the substance of the problems examined while adopting proved working practices and methods had demonstrated that the

secret of the Committee's success did not lie in the machinery or procedure of negotiation, but in the political will of States to resolve concrete disarmament issues. The delegation also noted that the representatives of many States had spoken favourably of the Committee's role as the principal forum for the negotiations involved, and had maintained that the Committee had been and remained the most appropriate and best-qualified international organ for conducting negotiations on disarmament in a realistic and constructive spirit. The Soviet delegation fully shared that view and believed that the Committee was capable of reaffirming its lofty mission by making a practical contribution to the solution of pressing present-day disarmament problems (CCD/PV.727).

272. At the 727th meeting on 3 September, the Committee decided to hold, at the very outset of the 1977 session, further informal meetings on the question of a comprehensive review of the procedure.

III. SPECIAL REPORT ON THE QUESTION OF A CONVENTION TO PROHIBIT ENVIRONMENTAL WARFARE

273. At the beginning of the 1976 session, the delegations of the United States and the Soviet Union, as co-sponsors of the identical draft texts for a convention to prohibit the military or other hostile use of environmental modification techniques (CCD/471 and CCD/472), urged every effort on the part of the Committee to reach an agreement on the matter in the course of this year's session and to submit a report on the results achieved to the thirty-first session of the General Assembly.

274. The delegation of the United States held that the submission of identical texts of a convention to the CCD was an important step, that the major issues had been identified and that discussions had shown that a consensus had clearly been reached on the desirability of achieving such an agreement. The present task was to determine how best to achieve the objective. The delegation agreed that some formulations of the draft were not perfect, but held that it constituted a practical means for dealing with the problem of preventing environmental warfare and merited the support of all Committee members (CCD/PV.691).

275. The delegation of the Soviet Union emphasized the overall importance of such an agreement, and the expectation of the General Assembly to have a widely acceptable draft submitted to it at its next session (CCD/PV.692). The delegation (CCD/PV.698) stressed that the importance of solving that problem, and the need to conclude an appropriate international agreement, had been noted in the report by the General Secretary of the Central Committee of the Communist Party of the Soviet Union, Mr. L.I. Brezhnev, to the Twenty-Fifth Congress of the Communist Party of the Soviet Union, and that one of the objectives set forth in the Programme for Peace approved by the Congress, which constituted the basic orientation for the foreign policy activities of the Soviet State, was the attempt to achieve the conclusion of an agreement on the prohibition of action to influence the environment for military purposes.

276. Many other members also praised the purpose of the draft convention and urged early agreement on it with a minimum of change. The delegation of Bulgaria (CCD/PV.694) stressed that the Committee could and should meet the expectations of the General Assembly for an early agreed draft. The delegation of Mongolia (CCD/PV.702) called the draft a good basis for a generally acceptable text of a convention. The delegation of Hungary (CCD/PV.693) stressed that the convention should be elaborated with the reasonable degree of precision of language now attainable, and held that demands

for exaggerated precision would only cause unnecessary delay and difficulties for the convention's future implementation. The delegation of the German Democratic Republic (CCD/PV.698), while preferring the original Soviet draft convention (annexed to General Assembly resolutions 3264 (XXIX)), stressed the view that the identical drafts represented the reasonable compromise which the Committee should seek. The delegation of Poland (CCD/PV.692), while also preferring certain aspects of the original Soviet draft, gave its unqualified support to the identical drafts because it believed nothing should be done to complicate or delay agreement. The delegations of Poland and Czechoslovakia (CCD/PV.695), as well as the delegation of Yugoslavia (CCD/PV.697), also emphasized that submission of an agreed draft convention to the next General Assembly would enhance the prestige of the Committee.

277. The delegations of the Netherlands (CCD/PV.692), the United Kingdom (CCD/PV.695), the Federal Republic of Germany (CCD/PV.696 and 697), Canada (CCD/PV.698), and Italy (CCD/PV.701) all supported the basic lines of the identical draft texts, but suggested various changes and advocated extensive consultations and a thorough exchange of views with a view to improving the text on a number of points.

278. The delegation of Japan (CCD/PV.699) stated that, while believing that the question of nuclear disarmament would have to be given the highest priority, it wished to prepare, even at the present stage, effective legislative measures to prevent environmental modification techniques from being applied for military or any other hostile use, and supported the basic ideas contained in the draft convention submitted by the United States and the Soviet Union.

279. The delegation of Romania noted that, compared with other serious problems arising from the accumulation of armaments, the question of environmental warfare was not of immediate urgency; a convention in this field might be justified, however, in order to prevent the arms race from spreading into a new area of military competition and also insofar as it might be regarded as a stage towards the termination of the arms race and the attainment of general disarmament, particularly nuclear disarmament. With regard to the identical drafts, the delegation maintained that they reflected the particular views of States having a uniquely high level of technology in the field involved, as well as a large geographical area; they must therefore be adapted to take into account the views of other States, particularly the smaller ones (CCD/PV.703).

280. The delegations of Sweden (CCD/PV.689 and 697), Nigeria (CCD/PV.693), Iran (CCD/PV.697), Egypt (CCD/PV.701) and Yugoslavia (CCD/PV.701) also supported the general idea of a ban on environmental warfare, but advocated various modifications in the proposed draft convention. The delegation of Sweden submitted a statement of its representative in the First Committee of the General Assembly (CCD/PV.479) containing comments on the proposed draft convention and suggestions for its improvement. The delegation of Iran (CCD/PV.697) said it would have preferred a more far-reaching measure. The delegation of Nigeria (CCD/PV.693) doubted that the matter should be given high priority, and the delegation of Argentina (CCD/PV.695) said it would have preferred the Committee to take up a number of other matters of high priority pending on its agenda for some considerable time. The delegation of Egypt (CCD/PV.701), while doubting that the matter should be given high priority, considered that it offered a possibility to unfreeze the current situation with regard to the Committee's work. The delegation of Pakistan (CCD/PV.717) stated that, while going ahead with the consideration of the draft convention, it was necessary not to forget about the importance of moving forward on such vital issues as comprehensive test ban, security of non-nuclear-weapon States and chemical weapons.

281. With regard to the warning against exaggerated precision, the delegation of Argentina pointed out that the General Assembly resolution on the subject had noted the submission of the identical draft texts on a basis of equality with the suggestions and observations of other Member States and that the Assembly had called for an agreement in 1976 only if possible. The delegation further held that the process of negotiation and mutual concession reflected in the resolution should not be ignored; that the draft must not contain contradictions and must be compatible with the objective sought; and that proposals for change put forward by Argentina and others at the thirtieth General Assembly were not unrealistic (CCD/PV.695).

282. Four informal meetings were held on the subject, with the participation of experts, on 5 and 6 April 1976, and a Working Group established by the Committee to consider modifications of the identical texts of a draft convention (see paragraph 8 above, and 373 below) held meetings throughout the latter part of the session.

283. While the informal meetings and the meetings of the Working Group were in progress, a number of delegations made general comment on the subject in the plenary.

284. The delegation of the United States assured other delegations that, while it believed the USSR/United States draft to be an effective and practical approach to overcoming the dangers of environmental warfare, it would consider ways of meeting their concerns (CCD/PV.705).

285. The delegation of the USSR (CCD/PV.705) stated that the basic questions related to the finalization of the draft convention were the scope of prohibition and verification, and that it was prepared to work in a constructive spirit with a view to reaching final agreement on these provisions.

286. The USSR (CCD/PV.705), the United Kingdom (CCD/PV.708), the German Democratic Republic (CCD/PV.709), Mongolia (CCD/PV.712), Italy (CCD/PV.714) and Japan (CCD/PV.715) again expressed their conviction that the Committee could reach an agreement on the matter to be submitted to the thirty-first General Assembly. Subsequently, the United States expressed appreciation for the progress already made (CCD/PV.716).

287. Hungary (CCD/PV.721), Poland (CCD/PV.722) and Bulgaria (CCD/PV.722), noting with satisfaction the progress being made in the Working Group, urged further efforts in a spirit of goodwill, determination and flexibility to ensure that an agreed draft text of the convention could be submitted to the thirty-first General Assembly in accordance with the Assembly's expectations. Poland, welcoming an apparent emerging agreement on the complaints procedure under the convention and urging acceptance of a compromise formula for determining the scope of the agreement, held that a convention prohibiting the use of environmental techniques of warfare, which would add a new dimension to the arms race, would contribute towards greater confidence between States (CCD/PV.722).

288. The delegation of Mexico stated that, for reasons difficult to understand, the Committee had concentrated its attention on the question of environmental warfare while totally ignoring the highest priority items on its agenda. Although the delegation considered the new text of draft article V prepared by the Working Group, particularly the provision for convening an advisory committee of experts, to be an appreciable step forward, it could in no way allow it to forget the serious dangers involved in draft article I. This article had been left intact, even though it contained provisions presenting insuperable difficulties to some delegations, including that of Mexico. The text of the corresponding article in the original draft of the Soviet Union (annexed to General Assembly resolution 3264 (XXIX)) was comprehensive and categorical in scope, while the present text was inadequate and ambiguous. This entailed great risks both from a legal and a practical point of view, especially when the environmental modification techniques listed in draft article II were borne in mind. It was alarming that the use of such monstrous techniques could be

legitimized provided their effects were not "widespread", which was defined by the co-sponsors as covering several hundred square kilometers, or "long-lasting", defined as having a duration of several months or about a season, especially since in the assessment of such effects there would always be a large subjective element. The delegation added that, since the Committee was legislating on a completely new subject, i.e. the use of environmental modification techniques for military purposes, any multilateral agreement adopted would constitute a precedent of incalculable consequences for the development of international law in a field of such momentous importance to the future of mankind. The delegation, accordingly, deemed it essential that the restrictive clause "having widespread, long-lasting or severe effects" be deleted from any draft recommended by the Committee to the General Assembly (CCD/PV.724).

289. The delegation of Brazil recalled that it had, from the outset, been prepared to support the original draft convention of the Soviet Union and the United States, but that it had, in a spirit of conciliation and compromise, accepted a number of changes suggested in the Working Group that it did not consider entirely justified. On the other hand, the delegation added, it shared the views concerning the potential risks of draft article I expressed by many delegations; and these risks were likely to be greater after new language had been agreed for articles III and V. The delegation also reiterated its understanding that the new language of draft article III was restricted to the right of every State Party to have free access to technological and scientific questions on environmental modification techniques for peaceful purposes. The delegation concluded that, while it deplored efforts made to negotiate collateral measures while central issues were neglected, it would welcome the prohibition of environmental warfare as it had welcomed the Biological Weapons Convention (CCD/PV.724).

290. In the course of the session, many delegations also expressed, in the plenary meetings, their detailed views on various provisions of the identical texts of the draft convention (CCD/471 and 472). The salient points of these views expressed in plenary are summarized below, beginning with the preamble and then article by article:

291. (1) Preamble

The delegation of Argentina (CCD/PV.695) noted that the questions it had raised in the General Assembly with regard to the preamble had not been answered, including the views that the third paragraph should make reference to "hostile uses" other than "military" and that it should make a clearer distinction between military and peaceful uses; that the fourth paragraph should eliminate the use of such techniques and not merely limit them; and that the preamble should contain a recognition of general and complete disarmament as the fundamental objective. The delegation of Egypt (CCD/PV.701) supported the view expressed by the delegation of Argentina and suggested that the reference to disarmament in the first part of the paragraph should read "general and complete disarmament under effective international control". The delegation of India (CCD/PV.710) agreed with the last two points made by Argentina. The delegation of the Federal Republic of Germany (CCD/PV.697) suggested that the third paragraph begin: "Realizing that the use of environmental modification techniques in armed conflict could have ..." The delegation of Italy (CCD/PV.701) agreed that the words "military" and "hostile" should both be included in the preamble.

292. The delegation of Canada (CCD/PV.699) suggested that the third paragraph be divided into two paragraphs in order to make clear distinction between the peaceful uses of environmental modification techniques and possible military uses. It suggested the following new text:

> "Realizing that the use of environmental modification techniques for peaceful purposes could improve the inter-relationship of man and nature and contribute to the preservation and improvement of the environment for the benefit of present and future generations;
>
> "Realizing, however, that the hostile use of environmental modification techniques could have widespread, long-lasting or severe effects harmful to human welfare;"

293. The delegation of Mongolia (CCD/PV.702) agreed with the Canadian suggestion, but held that the paragraph relating to peaceful uses should more strongly emphasize the possibility of deriving genuine benefits therefrom.

294. The delegation of Romania (CCD/PV.703) indicated that the preamble should contain an expression of the will of the Parties to halt the arms race and achieve general and complete disarmament, particularly nuclear disarmament. Later in the session, the delegation of India (CCD/PV.710) expressed agreement that the term "military" in the

third paragraph should be extended to "military or any other hostile use," but added that it could also support "hostile use" alone. The delegation also agreed with Canada that the paragraph should be divided.

295. The delegations of Iran (CCD/PV.697) and Mongolia (CCD/PV.705) indicated their agreement with the suggestion of Argentina that the fourth paragraph should seek to eliminate the uses in question rather than limiting them. The delegation of the Netherlands also called this suggestion interesting. The delegation of Canada (CCD/PV.699) favoured amendment of the paragraph to read: "Desiring to limit the potential danger to mankind from the hostile use of environmental modification techniques."

296. Later in the session the delegation of Mongolia (CCD/PV.715) held that amendments to the text of the preamble, submitted by the two co-sponsors, had considerably improved prospects for a consensus. The delegation of the Soviet Union (CCD/PV.726) stressed that, as a result of the work accomplished, additional provisions had been included in the preamble which took the points of view of all the members of the Committee into account and which had been helpful in reaching mutually acceptable decisions on draft articles I, II and III.

297. (2) Article I (scope of the agreement)

A considerable number of suggestions for modification of the text of article I were put forward, as discussed below under headings indicating their general tenor:

298. (a) Suggestions for clarifying or eliminating the phrase "having widespread, long-lasting or severe effects"

Referring to suggestions at last year's session and at the General Assembly that the phrase "having widespread, long-lasting or severe effects" be eliminated, the delegation of the United States (CCD/PV.691) held that the phrase was necessary to ensure that the ban could be implemented successfully and would not give rise to friction over trivial issues; the phrase served to avoid the risk of unprovable claims of violation while eliminating the use of techniques with significant effects.

299. The delegation of the USSR (CCD/PV.698), noting that the restrictive aspect of the identical drafts had been the result of harmonization of the view of the Soviet Union and the United States on the subject, held that the present text of the drafts, in both draft articles I (scope) and V (complaints and verification) presented the optimum solution. The delegation explained (CCD/PV.726) that the formulation "military or any other use", which was contained in this article and in the title of the draft convention, was justified and logical and should not be considered in isolation but in the context of the whole article, which contained also the phrase "as the means of destruction, damage or injury to another State party". That combination made it possible, on the one hand, to prohibit the use of environmental modification techniques for purely military purposes as a weapon and, on the other hand, to prohibit their use for any other hostile purposes, even if they were not used by armed forces and in the absence of armed conflicts. At the same time, that formulation excluded from the prohibition the use of such techniques in cases where they did not have a hostile character and were not designed to cause destruction, damage or injury, including situations in which such techniques were used even by armed forces, for example, during manoeuvres or for providing assistance to the national economy, for scientific purposes, etc. The phrase "having wide-spread, long-lasting and severe effects" drew attention to the main features of the scope of the prohibition. The phrase had been chosen primarily because it was precisely effects of that kind which presented the main danger and precisely such effects which were the subject of the problem under discussion. The above-mentioned formulations in article I, the delegation held, together with the agreed understanding of the Committee on that article, practically excluded the possibilities of hostile modification of the environment.

300. The delegations of several other socialist States also held that the present formulations of draft articles I and V were the best possible at the present, since they represented a carefully drawn balance which could be substantially changed only at the risk of protracted discussions. The delegation of India (CCD/PV.710) considered the expression "wide-spread, long lasting or severe effects" an appropriate one which would avoid trivial matters being raised in the future in regard to the implementation of the convention.

301. The delegation of the United Kingdom (CCD/PV.695) shared the view on the need for the phrase "having widespread, long-lasting or severe effects", but believed there

should be some definition of it, perhaps in an annex to the convention. The delegation of the Federal Republic of Germany (CCD/PV.697), Sweden (CCD/PV.697), Japan (CCD/PV.699), and Italy (CCD/PV.701) expressed similar views, as did the Government of Australia in a document submitted to the Committee (CCD/480) containing the statement made by the Australian Representative at the thirtieth General Assembly. The delegation of the Netherlands (CCD/PV.692) stressed even more strongly the necessity of having a clear understanding of the terms and suggested that definitions, perhaps in an interpretative declaration or agreed minutes, would be useful in this regard. On balance, however, the delegation concluded, a total ban was preferable and would be a more meaningful measure in the field of arms control. The use of restrictive terms could, among other things, present serious interpretation problems. The delegation added the view that the problem of trivial questions would not be so great if the complaints procedures were adequate.

302. The delegation of Argentina (CCD/PV.695) shared the view that the phrase in question was not clear, that it could legitimate the use of techniques under the established "threshold" and should be deleted; moreover, Argentina doubted that, as now drafted, the convention would provide the protection against the dangers in question that its sponsors claimed it would. With regard to complaints over trivial uses, such matters should arise no more frequently than under the Biological Weapons Convention, in which the scope of the ban had not been influenced by the possibilities of effective verification. Controversy should be eliminated through the consultation process provided for in draft article V, not by limiting the scope of the agreement, which was already adequately restricted by the phrase "as a means of destruction, damage or injury".

303. The delegation of Iran (CCD/PV.697) also thought that a total ban would be more effective. Even though it recognized that the sponsors of the draft texts had carefully considered the matter and that the United States had given a logical explanation of the need for the limiting phrase, the delegation still believed the phrase would lead to controversy. The delegation of Yugoslavia (CCD/PV.701) also favoured a ban on techniques which caused any kind of damage.

304. The delegation of Egypt (CCD/PV.701) stated that the phrase in question introduced an element of subjectivity, since there was no precise definition; therefore, it fully endorsed the comments made by the delegations of Argentina, the Netherlands, Iran, the United Kingdom and Sweden.

305. The delegation of Mongolia (CCD/PV.702) expressed the view that the specific features of the subject of the prohibition, and the relatively small amount of research on it, made it necessary to attempt a limited definition of the scope of prohibition.

306. Referring to the same question, the delegation of Romania (CCD/PV.703) held that the convention must stipulate the obligation of States to continue negotiations in order to expand the prohibition to other categories of environmental modification techniques. This obligation could be supplemented by an undertaking of the parties not to have recourse for military purposes to the use of techniques which were the subject of negotiations.

307. Later in the session the delegation of Czechoslovakia stressed its agreement with the scope of the ban stated in Article I and with the clarification of this scope given by both co-sponsors (CCD/PV.717).

308. The delegation of Pakistan (CCD/PV.717) stated that restricting the prohibition to those environmental modification techniques that had "widespread, long-lasting or severe effects" would not only limit its scope but render it difficult of interpretation. Since the draft already made an exception in respect of use of the techniques in question for peaceful purposes, it was not really necessary to adopt the threshold approach.

309. The delegation of Mexico, in order to make clear what it called the "very serious dangers" (see para. 288 above) of the inclusion of the restrictive clause "having widespread, long-lasting or severe effects" and in support of its position to delete it, stated that one need only to re-word the proposed text of paragraph 1 of Article I in a positive form, which was equivalent from the legal point of view, to read: "Each States Party to this Convention shall be entitled to use environmental modification techniques for military or other hostile purposes as the means of destruction, damage or injury to another State Party, provided that such techniques do not have widespread, long-lasting or severe effects" (CCD/PV.724).

310. (b) Restricting the ban to "hostile use" without reference to "military use"

In reply to previous criticism with regard to the phrase "military and other hostile use", the delegation of the United States (CCD/PV.691) held that, while the term "military" was not technically essential, it served the useful purpose of emphasizing that the ban applied to the conduct of military operations during armed conflicts, as well as to hostile use when no other weapons were being used or when there was no overt conflict. The ban would not apply to military or other techniques used other than as a means of destruction, damage or injury to another State Party (CCD/PV.703).

311. The delegation of the USSR (CCD/PV.698) stated that "military" use was mentioned in the text of Article I precisely to emphasize the need to prohibit the military use of environmental modification techniques and that it did not see any valid reasons for deleting the reference. If the reference were deleted, it emphasized, the meaning of the article would not be changed, but its political emphasis would be weakened. The delegation also stated that military manoeuvres would not be prohibited by the convention, since according to the present draft the prohibition applied to the use of environmental modification techniques as the means of destruction, damage or injury to another State Party.

312. The delegation of the German Democratic Republic held that the phrase "prohibition of military ... use" covered not only prohibition of the direct military application of the techniques in question against third States but also prohibition of the preparation of armed forces for the use of such techniques, including their military testing. It therefore favoured retention of the word "military" (CCD/PV.698).

313. The delegation of the United Kingdom (CCD/PV.695) expressed doubts on the need for the word "military", since it considered "hostile use" sufficient to define the purposes of the convention, even in cases where no war was declared. Sweden (CCD/PV.697) held that the phrase in question was confusing and contradictory and should be restricted to "hostile use" only. The delegation of Canada (CCD/PV.699) also said that it was inclined to support elimination of the term "military", since all military use was not necessarily "hostile". Egypt (CCD/PV.701) expressed similar views.

314. The delegation of the Federal Republic of Germany (CCD/PV.697 and 702) also considered the term "military" unnecessary; and suggested two versions of substitute language for the provision, the second and preferred of which read as follows:

"Each State Party to this Convention undertakes not to engage in armed conflict or in any other hostile manner, in the use of environmental modification techniques having widespread, long-lasting or severe effects as the means of destruction, damage or injury to another State Party."

315. After these various views had been presented, the delegations of Mongolia (CCD/PV.702) and Bulgaria (CCD/PV.703) specifically stated that there was no good reason for deleting the term "military", since the word "hostile" qualified all uses to be prohibited under the convention and there were no grounds for fears that non-hostile military use might also be covered by the prohibition. The delegation of India (CCD/PV.710) said that, while it preferred the phrase "military or any other hostile use", it would not object to "hostile use" alone, if this was the consensus. It added, however, that it found the term "in armed conflicts" restrictive and inappropriate. In conclusion, the delegation supported retention of the existing formulation.

316. (c) Replacement of "having ... effects" with "likely to have ... effects", or a similar phrase

The delegations of the Netherlands (CCD/PV.692) and Sweden (CCD/PV.697) favoured changing the phrase "having ... effects" to "which may be expected to have ... effects" or "which may reasonably be expected to have ... effects". The delegation of Japan (CCD/PV.699) suggested it would be desirable to amend this phrase to read either "which are likely to cause ... effects" or "which are intended or might be expected to cause ... effects".

317. The delegation of the United States (CCD/PV.691 and 703) noted that while some techniques might reasonably be expected to cause the specified effects, others, such as rain-making, might not; and the ban was intended to cover only those uses that resulted in such effects or those where it could be shown that such use could reasonably have been expected to result in such effects. The delegation of Canada (CCD/PV.699) thought that the inclusion of the phrase "may be expected to have" could result in a limitation of the scope of the ban rather than an expansion of it. The delegation of India (CCD/PV.710) considered the word "having" more comprehensive and less controversial than other proposed expressions such as "intended" or "expected to have".

318. (d) Addition of ban on "threat of use"

The delegations of Sweden (CCD/PV.697), Japan (CCD/PV.699), Egypt (CCD/PV.701) and Pakistan (CCD/PV.717), with some support from those of the Federal Republic of Germany (CCD/PV. 697), Italy (CCD/PV.701) and Romania (CCD/PV.703), favoured inclusion of additional language to ban the threat of use of the techniques in question. The delegation of the United States (CCD/PV.691) held that if uses of such techniques were banned, threats of use would be implausible, and that a specific ban might raise many problems, particularly if the threats made happened to be ambiguous; but the delegation expressed willingness to hear further amplification on the point. The delegation of the USSR (CCD/PV.698) supported the views of the delegation of the United States on this question, particularly the latter's statement that the prohibition of the use of such techniques would, of course, also include the threat of such use. If a State undertook not to use environmental modification techniques, the delegation added, it could not threaten to use such techniques. The delegation of Bulgaria (CCD/PV.694) expressed the view that, taking into consideration the precedent of the 1925 Geneva Protocol, a specific ban on such threats would not be necessary.

319. (e) Addition of a ban on "preparation for use" or on research and development

The delegation of the Netherlands (CCD/PV.692) proposed a ban on the preparation for use of the techniques in question, which it noted had been included in the original Soviet draft convention and which would in effect ban research and development for hostile use, since preparation would normally be in the form of development activity. The delegation of Hungary (CCD/PV.693) agreed that such a ban would be desirable; Argentina (CCD/PV.695) also supported the view; while Romania (CCD/PV.703) expressed a preference for it.

320. The delegation of the United States (CCD/PV.703) held that a ban on research and development activities would be unrealistic and ineffective and suggested, instead, confidence-building measures, such as an exchange of information of research activities in the field. The delegation of Canada (CCD/PV.699) also held that a ban on research and development was likely to be ineffective in view of the dual peaceful and military purpose of the techniques involved. The delegation of the German Democratic Republic (CCD/PV.698) held that the prohibition of military use covered the preparation of armed forces for such use. The delegation of India (CCD/PV.710) noted that it would

not be feasible to prohibit "preparation" or "research and development", as this idea had been found impracticable in the context of other measures of arms limitation and disarmament.

321. (f) Application of the ban to all States rather than to States Parties only

The delegation of the Netherlands (CCD/PV.692), Iran (CCD/PV.697), Japan (CCD/PV.699), Egypt (CCD/PV.701), Yugoslavia (CCD/PV.701) and Mexico (CCD/PV.724 held that the ban on the use of environmental modification techniques should apply to all States and not merely to States Parties. The delegation of Iran also noted, however, that such application to all States might result in the lodging of many reservations by those ratifying the convention.

322. The delegation of the USSR(CCD/PV.698) stated that, if the application of such techniques to States not parties to the convention were prohibited as well, the latter would be in a special position. They would enjoy the privileges deriving from the convention, but at the same time would remain free to apply environmental modification techniques for military purposes against parties to the convention. Thus, States not parties to the convention would have no incentive to accede to the international agreement. The delegation of Canada (CCD/PV.699) said it tended to support the present wording for the same reason. The delegation of Mongolia (CCD/PV.702) and Bulgaria (CCD/PV.703) also favoured that concept. The delegation of India (CCD/PV.710) favoured the present wording because it stressed the idea of reciprocity of obligations among parties and also avoided the need of subsequent reservations to that effect by States when adhering to the convention.

323. (g) Specific reference to application to acts of retaliation and self-defence

The delegation of the Netherlands (CCD/PV.692) held that the ban should apply to all use of the techniques specified, even in self-defence or retaliation. The delegation of the USSR(CCD/PV.698) indicated that this was its interpretation of the present wording. The delegation of Iran (CCD/PV.697) suggested that there might perhaps be an "authoritative interpretation" that "hostile use" included retaliatory use.

324. This subject was closely related to the questions raised by the delegation of the United Kingdom (CCD/PV.695) on the convention's application to use of the specified techniques by a State Party for repelling an invading army on the State's own territory.

325. The delegation of the USSR (CCD/PV.698) said that the convention prohibited clearly and unequivocally the military or any other hostile use of environmental modification techniques having widespread, long-lasting or severe effects as the means of destruction, damage or injury to another State party. That prohibition was very specific and was not connected with any territorial boundaries.

326. The delegation of the United States (CCD/PV.703) made clear that it considered the ban applicable to use of such techniques as a means of destruction, damage or injury to another State party, regardless of geographical boundaries or whether for offensive or defensive purposes. The convention would not apply, however, to use of environmental modification other than as a means of destruction or damage to another State party.

327. (h) Avoidance of duplication with draft protocols on Humanitarian Law in Armed Conflicts

In reply to early assertions by Sweden, Australia and others that the identical draft conventions appeared to duplicate, or perhaps contradict, certain paragraphs of the draft additional protocols on humanitarian law in armed conflicts, currently under consideration at an international conference on that subject, the delegation of the United States (CCD/PV.688 and 691) pointed out that there was a fundamental difference in the objectives of the two measures, since the protocols were intended to protect the natural environment from damage by any weapon, while the convention was intended to prevent the use of environmental modification techniques as a weapon. The protocols applied only to armed conflicts, the delegation added, whereas the ban in the draft convention would apply to hostile use even when no war had been declared or no other weapons were used. There was, accordingly, no need to establish a direct link between the two measures, although they should obviously not be incompatible. It was also appropriate that the wording of the two should be different, as in the case of the phrase "widespread, long-lasting or severe", where the protocol used "and severe" instead of "or severe".

328. The delegation of the Netherlands (CCD/PV.692) and Canada (CCD/PV.699) agreed in principle with the views of the United States on this matter. The Netherlands counselled care, however, to see that certain means of warfare which should be banned did not fall outside the scope of both measures. The delegation of Canada believed it was not necessary or desirable to amend the draft convention to bring it more into line

with the Geneva Protocols because in some respects the scope of the prohibition in the draft convention was broader than that of the Protocols. The delegation of Egypt (CCD/PV.701) shared the views expressed by the United States and the Netherlands on this matter.

329. The delegation of Hungary (CCD/PV.693) also stressed that there was no need for a direct link between the two measures, although there should be no contradictions between them, while the delegation of Bulgaria (CCD/PV.694) stressed that the distinction between the two measures should be made as clear as possible.

330. The delegation of Argentina (CCD/PV.695) agreed that there should be a clear distinction and that the terminology should be different, as the United States had stated; but it noted that the terminology "having widespread, long-lasting or severe effects" was practically identical. Iran (CCD/PV.697) also expressed its support for avoiding contradictions in the two measures.

331. (i) Meaning of the phrase "destruction, damage or injury"

While no member specifically suggested elimination of the phrase, "as a means of causing destruction, damage or injury", the delegation of Canada (CCD/PV.699) specifically expressed support for it, noting however that it should not be used to prevent any State from using the techniques in question to protect itself or its own forces from environmental hazards. In its paper (CCD/480), Australia enquired as to the exact meaning of the phrase in terms of the object of the destruction, etc.

332. The delegation of the United States (CCD/PV.691) stated, in this connexion, that the phrase, in its broad sense, meant harm to a Party's military forces and civilian population, to its cities, industries, agriculture, transportation and communications system and natural resources and assets.

333. In addition to the above points, several replies were made to questions with regard to Article I, as follows:

(a) In reply to the question of the delegation of the United Kingdom as to whether the use of herbicides and ecological damage would be banned under the proposed convention, the delegation of the United States (CCD/PV.703) said that this would be the case if herbicides were used as a means of destruction, damage or injury to a State Party and if the effects were "widespread, long-lasting or severe"; and that causing an upset in the ecological balance of a region through the use of such techniques would be prohibited;

(b) In reply to requests for definition of the terms, the delegation of the United States (CCD/PV.703) stated that "widespread" would refer to an area of several hundred square kilometres, and could apply if such an area were to experience destruction, damage or injury at approximately the same time as the cumulative result of a series of operations conducted over a period of months or years; that "long-lasting" involved a period of months, or about a season; and that "severe" would be interpreted as any serious disruption of the existing state of the environment as a means of causing very serious damage or injury to persons or property.

334. (3) Article II (definition of the scope)

The delegation of the United States (CCD/PV.691) explained that draft article II, containing a definition of the term "environmental modification techniques" with an illustrative list of examples of techniques that would be prohibited, was intended to make clear that the draft convention was concerned with the effects on the environment of the manipulation of natural processes and not with the effects caused by other methods of warfare. The list was not exhaustive but served the useful purpose of adding substance to a technical definition. Although some of the listed techniques were only theoretically possible, it was important to preclude their use before they were perfected.

335. The delegation of the Soviet Union (CCD/PV.698) also held that the list of examples was a reasonable way of explaining the ban; even though some of the techniques listed were inconceivable today, they could be rapidly developed. The delegation also noted (CCD/PV.726) that it was the Committee's agreed understanding that an illustrative list should be given of specific and very carefully chosen phenomena. The list in draft article II was the result of prolonged and very careful consideration and study by scientific specialists of the whole body of natural phenomena which human actions could cause or actively influence. In conjunction with the objective natural processes enumerated in the article, it provided a comprehensive basis for the expression "environmental modification techniques". The delegation of Mongolia held that, since it was generally agreed that the examples in article II were given merely for illustrative purposes, they did not necessarily have to be comprehensive and exhaustive (CCD/PV.715).

336. The delegation of Japan (CCD/PV.699) took a basically positive attitude to the article but suggested (a) that the term "weather patterns" should be made more precise by inserting the words "generation and dispersion of" before the word "clouds"; and (b) that the possible danger of altering the icebergs in polar regions be covered by adding at the end of the draft article the phrase "or in the distribution of ice and snow masses over land surfaces and oceans".

337. The delegation of the Federal Republic of Germany (CCD/PV.697) held that such listed effects as tsunamis, changes in the ozone layer, changes in ocean currents, or even earthquakes, were not feasible, and that one important technique which was feasible, namely, altering the course of rivers or modifying natural drainage systems, should be added. The delegation stressed the view that the criterion for the choice of examples should be whether or not, according to serious scientific opinion, the use of a given technique as a measure of warfare would be possible in the foreseeable future. The delegation of the USSR (CCD/PV.698) challenged those views, and stated that the question called for consideration at the expert level.

338. The delegation of Canada (CCD/PV.699) thought a phrase should be added to show clearly that the list was only illustrative; the delegation had doubts about making the list more precise, which it believed would make it more restrictive. Canada also recommended caution in adding definitions to Article I, since they might unnecessarily restrict the scope of the convention.

339. The delegation of the United Kingdom (CCD/PV.695) asked if "dam-busting" or the use of herbicides (see draft article I above) would be covered under the convention, and requested a definition of "ecological balance" and an explanation of the difference between "weather patterns" and "climate". Italy (CCD/PV.701) suggested that the words "influencing or affecting" should be added after the phrase "refers to any techniques for changing ...".

340. Some delegations, most notably those of the Netherlands (CCD/PV.692) and Sweden (CCD/PV.697), considered the list of examples in the draft article unnecessary and superfluous. The delegation of the Netherlands thought the list could be interpreted as being restrictive and preferred agreed minutes of the negotiations, records of negotiations or an annex to the convention to make clear what activities would be covered; amendments could subsequently be made at regular review conferences. If the list was to be retained, the delegation held, it should be made clear that all the examples had "widespread, long-lasting and severe effects", which was not now the case. The delegation of Sweden also held that the list gave the impression of a higher threshold than was actually the case, and that it would have no legal effect

and might focus attention on methods which would have no importance in the future while diverting it from serious developments in other fields. If the list was retained, the delegation concluded, it should be more realistic. The Government of Australia, in the document it submitted (CCD/480), supported the view that the list might divert attention.

341. Iran (CCD/PV.697) welcomed the assurance of the United States that the list was merely illustrative, but stated that it would agree to its elimination if that was the general view. Argentina (CCD/PV.695) noted that there was no guarantee that the few examples given in the list would receive a consensus, and suggested that some less sophisticated examples might be added. Egypt (CCD/PV.701) indicated agreement with the views of the United Kingdom and the Netherlands. Yugoslavia (CCD/PV.701) pointed out that there would be no need for such a controversial list under a comprehensive ban. Romania (CCD/PV.703) agreed with many comments made about the vagueness of the terms in draft articles I and II and that the purpose of the convention should be defined more accurately.

342. The delegation of Pakistan (CCD/PV.717) considered that only the definition of the term "environmental modification techniques" should be contained in the article. The illustrative list of examples, which should be made as extensive as possible to include those environmental modification techniques that were ostensibly peaceful but which could possibly be diverted to hostile use, should form an annex to the convention.

343. The delegation of India (CCD/PV.710) suggested that the phrase "the earth, including its biota" be expanded to "the earth, its surface, inner or outer contents, or its environment such as its biota" and also supported the Japanese idea to add the words "ice and snow masses on land surfaces and oceans". It also believed that any such listing of examples could only be illustrative and could not be regarded as exhaustive, limitative or exclusive.

344. (4) Article III (Peaceful uses)

The delegations of Hungary (CCD/PV.693) and Bulgaria (CCD/PV.703) held that draft article III was adequate for the purposes of the convention. While the peaceful uses of the techniques involved should be promoted, such promotion should take place in the framework of appropriate bodies already engaged in such activities, such as the World Meteorological Organization (WMO) and the United Nations Environment Programme (UNEP). The delegation of Iran (CCD/PV.697) expressed similar views.

345. The delegation of Argentina (CCD/PV.686) supported by that of Egypt (CCD/PV.701), continued to hold that a provision for the promotion of peaceful uses of the techniques involved, along the lines of Article X of the Biological Weapons Convention, should be added.

346. The delegation of Yugoslavia (CCD/PV.701) agreed with those favouring a broadening of the scope of the article and suggested several additions. The delegation of Romania (CCD/PV.703) stressed the importance of a commitment in the convention to encourage the development of peaceful uses in this field, including an information exchange system.

347. The delegation of the Netherlands (CCD/PV.692), while agreeing that the convention must not deal with peaceful uses of the techniques involved and that a provision along the lines of Article X of the Biological Weapons Convention was not necessary, maintained that it should be made clear that peaceful uses could not be developed with a completely free hand.

348. The delegation of Sweden (CCD/PV.697), supported by the Federal Republic of Germany (CCD/PV.697) and Italy (CCD/PV.701), held that, if draft article III was to be retained, it should be changed to read that the convention "does not apply" to peaceful uses rather than "shall not hinder" them. The delegation of Sweden (CCD/PV.697) also held that the entire article was subject to misinterpretation in the sense that the use of such techniques would be permissible unless a hostile purpose was involved, which was dangerous; and, if only hostile purposes were involved, the article could be deleted without affecting the contents of the convention.

349. The delegation of the United States (CCD/PV.688 and 69[illegible]) said that the draft article sought to make clear that the convention should not be involved with the complex question of peaceful uses, without prejudicing any efforts elsewhere to promote or regulate such uses. The United States was accordingly willing to consider changes to meet valid objections. The delegation added, however, that with particular regard to the inclusion of a provision like Article X of the Biological Weapons Convention, there was no parallel between the peaceful uses of biological agents and the largely undeveloped uses of the techniques involved in the draft convention. The United States therefore thought it prudent not to make any commitment on the latter in this regard. All United States peaceful activities in the field were conducted on an open basis, with information available to all.

350. The delegation of Japan (CCD/PV.699) welcomed the assurance of the United States with regard to its peaceful activities and called on others to make their technical information known and to co-operate in a free international exchange of information. The delegation of the Netherlands (CCD/PV.692) also welcomed the statement of the United States that its research in the field was open.

351. The delegation of India (CCD/PV.710) stated that it considered the existing formulation of this article to be useful and adequate.

352. The delegation of Pakistan (CCD/PV.71[illegible]) felt that peaceful uses should be allowed only under the convention and subject to its provisions, rather than independent of it; there was also a need of safeguards to ensure that uses for ostensibly peaceful purposes were not diverted to hostile ends or would not be such as to have an adverse effect on another State.

353. The delegation of the Soviet Union (CCD/PV.726) objected to the proposals of some delegations that the article should include definite provisions governing international co-operation in the sphere of the peaceful use of environmental modification techniques and laying down what amounted to specific obligations on States in connexion with such co-operation. It pointed out that the inclusion of such provisions in the convention under consideration was unjustified, since questions of the peaceful use of those techniques were not germane to the convention under preparation. The delegation also referred to the adoption of a proposal submitted by delegations which had expressed themselves in favour of the inclusion in the article, as a separate paragraph, of a provision similar to that of paragraph 1 of Article X of the Bacteriological Weapons Convention, concerning the co-operation of States in the sphere of the peaceful use of environmental modification techniques.

354. (5) Article IV

The delegation of the Netherlands (CCD/PV.692) questioned the need for a provision such as in draft article IV for internal legislation to implement the ban, maintaining that it could lead to delays in ratification of the agreement, as had been the case in the Netherlands with the Biological Weapons Convention. It suggested that the co-sponsors of the draft might indicate what kinds of internal measures they had in mind. In a letter to the Committee contained in working paper CCD/480, the Government of Australia also maintained that the article was not clear and should be re-drafted. The delegation of Italy (CCD/PV.701) suggested a greater flexibility by establishing a simple obligation for each Party to prohibit and prevent any activity in violation of the convention.

355. The delegation of the United States (CCD/PV.691) said that the purpose of the draft article was simply to provide for legal implementation of the convention within a State Party, wherever that was needed. It was ready, however, to consider suggestions for improving the language.

356. The delegation of India (CCD/PV.710) said that it considered the article non-essential, but, if it were to be retained, suggested that the opening phrase be amended to read, "Each State Party to the Convention may, in accordance with the constitutional processes, take ..."

357. The delegation of the Soviet Union (CCD/PV.726) held that draft Article IV was so formulated as to leave no room for doubt that every State was free to determine independently, in accordance with its own legislation, the procedure for carrying out the provisions of the convention. It had been taken into account that States had different constitutional regimes, and the article in no way placed States parties to the convention under the obligation to adapt or in any other way to change their internal constitutional procedures.

358. (6) Article V (complaints procedure)

The delegation of Sweden (CCD/479 and CCD/PV.697) stressed that it had already expressed concern about identical provisions for a verification and complaints procedure in the Biological Weapons Convention and that it had the same concern with regard to the proposed convention. It was imperative, the delegation held, that a more acceptable procedure be found to ensure that all States Parties were treated on an equal basis and that the Permanent Members of the Security Council would not use the veto against a complaint under the convention. While it agreed with the United States that special emphasis should be laid on the proposed consultations procedures, it was important to distinguish between technical fact-finding and a political complaints procedure, the delegation held; and the vague references to consultation and co-operation should be strengthened, preferably to contain certain rules about international exchange of information. Some international machinery should also be indicated which could serve as a guarantee that objective verification procedures were available at the international level before a matter was referred to the Security Council. Recourse to the Security Council should be reserved as the last resort. The deficiency could easily be remedied by considering the initiation of an investigation by the Council as a procedural matter to which the right of veto would not apply. This principle should be stated in draft article V, 2, and Sweden would insist on a change in the present language of this paragraph. The Government of Australia, in its paper (CCD/480), supported the Swedish view, adding that WMO and UNEP should be given an advisory role in complaints cases. Romania (CCD/PV.703) also suggested that these two organizations be given a role in helping to decide whether a given use of the technique in question had been accidental or hostile.

359. The delegation of the Netherlands (CCD/PV.692) agreed with draft article V, 1, on "consultation and co-operation", but also objected to the fact that the Security Council

was the only organ mentioned which would consider evidence presented by a complaining party and which could initiate an investigation; this objection was based on the inequality of the veto and the fact that a State would be reluctant to lodge a complaint with the Council if it did not possess conclusive evidence, which would be hard to find in this field without an investigation. The proposed complaints procedure was, therefore, unsatisfactory and a poor precedent for future treaties, the delegation held. An intermediate body was needed, to which Parties could complain and which could investigate the matter on an expert basis before the Security Council was involved. The Netherlands still favoured the creation of a disarmament agency for this purpose, but for the moment it would prefer that the required factfinding powers be entrusted to the Secretary-General of the United Nations assisted by experts, as had been proposed when the Biological Weapons Convention was being negotiated. A committee of Parties to the agreement could assist the Secretary-General in this task, although its powers need not be spelled out in the convention itself. Complaints could be directed either to the Secretary-General or to the Committee and all Parties would agree to co-operate. The Committee could take decisions by a simple or two-thirds majority and could advise the Secretary-General on the action to be taken after the complaint was investigated, for example, to report to the Security Council. It could also prepare for the regular review conferences and report to these conferences on the implementation of the convention. Such committees had already been created to oversee multilateral agreements, the delegation pointed out, for example in the field of human rights; the SALT I ABM Treaty also provided for a standing Consultative Commission. Such a committee could only be established after the agreement entered into force, and the depositary Powers could convene a short conference within a specified time thereafter for the sole purpose of electing the committee and establishing some of its basic procedures, the delegation added; the committee could, for example, consist of ten or fifteen States, including the permanent members of the Security Council who were also Parties to the convention, or it could consist of Parties which were also members of the Security Council. The delegation of Sweden (CCD/PV.697) expressed interest in the Netherland's suggestions, as did that of Argentina (CCD/PV.695). The delegation of the Federal Republic of Germany (CCD/PV.697) also suggested the establishment, outside the United Nations system, of a separate body for the verification and complaints procedure, consisting of a limited number of States Party to the convention and having the task of establishing the facts of the case, insofar as possible.

360. The delegation of Canada (CCD/PV.699 and 703) also stressed the need to examine all alternatives to the procedure proposed in the draft article, since it was concerned that this procedure might be established as a precedent for all subsequent treaties in the disarmament field. It also suggested a rewording of draft article V, 2, to allow a State to lodge a complaint with the Security Council when it had reason to believe that another State was acting in breach of the obligations, and asked the delegation of the United States and the Soviet Union for their interpretation of the kind of assistance envisaged in draft article V, 4. The delegation of Italy (CCD/PV.701) shared the concern expressed by the delegations of Sweden and the Federal Republic of Germany with regard to the insufficiency of the complaints procedure as defined in article V, and suggested a rewording of draft article V, 1. The delegation of Romania (CCD/PV.703) shared the doubts expressed by others with regard to the role of the Security Council, noting that complaints of hostile action could already be made to the Council under the United Nations Charter.

361. The delegation of Iran (CCD/PV.697) also indicated reluctance to accept the role assigned to the Security Council under the draft convention, but doubted that any verification system could be effective unless the concept of decision by majority vote was accepted. The delegation of Canada also doubted that a better solution could be found that would be acceptable generally, but recommended that the text permit complaints when there was reason to believe there had been a violation and that the complaint be accompanied only by all relevant information. The delegation of the United Kingdom (CCD/PV.695) also held that immediate recourse to the Security Council would tend to politicize matters which might be soluable by technical means, but believed that some effective way of solving the problem could be found without breaking so much new constitutional ground as that involved in the proposal of the Netherlands.

362. The delegation of Japan (CCD/PV.699) also thought reliance on the Security Council in the complaints procedure was inappropriate, and suggested further concrete provisions concerning consultation and co-operation, possibly including a provision that a complaining party might ask the Secretary-General to provide the necessary technical assistance for investigating the complaint or, alternatively, that a committee of Parties be established. It also asked for clarification of the term "international procedures".

363. The delegation of Pakistan (CCD/PV.717) stated that, with the draft as it stood, action against a State in breach of its obligations could be taken only if all permanent

members of the Security Council were in agreement. This could not be considered an effective solution to meet the situation, the delegation held, since action could be blocked by even one permanent member.

364. The delegation of Egypt (CCD/PV.701), while acknowledging the competence of the Security Council to consider disputes which might arise in this area, did not deny the value of the proposals made by the delegations of Sweden, the Netherlands and the Federal Republic of Germany for establishing an intermediate procedure.

365. The delegation of the United States (CCD/PV.688 and 691) held that draft article V satisfied the need for practical effectiveness in deterring violations and dealing with them as they occurred. It established the right and obligation of Parties to consult and co-operate before recourse to the Security Council, and such consultations might take place through appropriate international procedures in the United Nations framework. This should adequately solve most, if not all, differences between the Parties, the delegation maintained.

366. The delegation of the Soviet Union (CCD/PV.698) and other Socialist States noted that the Sea-Bed Treaty and Biological Weapons Convention contained the same complaints procedure as that proposed in the draft article. They also stressed that articles I and V represented a carefully elaborated balance which represented the optimum solution and should not be upset. The delegation of the Soviet Union did not agree with the suggestion of the Netherlands, because it would create complications and because it was not appropriate to enlist the aid of the chief administrative office of the United Nations in resolving questions which were not only technical but political. The delegation subsequently (CCD/PV.705) stated that the control system under the convention could include the participation of such existing organizations as WMO and UNEP, or of a specially created committee of experts of States Parties, provided the functions of such bodies were limited to the facilitation of consultation in problem cases. The Soviet delegation also held (CCD/PV.726) that in case of need a sufficiently wide range of courses of action was open to the State concerned, including the conduct of bilateral consultations and co-operation, application to existing international bodies within the framework of the United Nations for consultation, the convening of the advisory committee of experts and, lastly, application to the Security Council. The State itself decided which of these possibilities it wished to make use of. In reply to the inquiries of certain delegations, the delegation explained that the help to the victims of a violation of

the convention, as provided for in article V, 5, meant measures of medical aid, rescue or other humane assistance. Measures could also be adopted which were designed to safeguard the security of the country subjected to attack, as provided for in Article VII of the Charter of the United Nations. The convention did not exclude assistance on the basis of other agreements and obligations in accordance with the Charter of the United Nations. The delegation of Czechoslovakia (CCD/PV.717) stated that the proposal to add further and different tasks to those already connected with the functioning of the convention was not feasible.

367. The delegation of the United Kingdom (CCD/PV.708) also stated that it could support the idea of an intermediary investigative body to submit findings to the Security Council, provided such a body established facts only, without judgments, and that the complaining country could decide whether or not to submit the case to the Security Council.

368. The delegation of India (CCD/PV.710) agreed that the investigation of complaints under the convention might be very complex, involving examination on a technical level by such United Nations bodies as WMO, UNEP and FAO.

369. The delegation of Poland stated that the problems which draft article V seemed to pose for some delegations had been satisfactorily resolved following a long and wide-ranging discussion. Both the discussion and the formula of article V might prove to be precedent-setting and of distinct value for the future work of the Committee on other important measures (CCD/PV.727).

370. (7) Article VI (amendments)

The delegation of the United Kingdom (CCD/PV.695) believed that the draft article required tighter drafting to prevent over-hasty or discriminatory amendments. It also suggested that it might stipulate that any amendment should be sponsored by at least ten Parties and should require the support of two-thirds of the Parties before entering into force. The delegation of Canada (CCD/PV.699) held that the draft article should include a stipulation, as in the Biological Weapons Convention, that an amendment would enter into force, for all Parties which had accepted it, upon the deposit of the instrument of acceptance by a majority of the Parties.

371. (8) Article VIII (Deposit of Instruments)

The Government of Australia, in its letter to the Committee contained in document CCD/480, held that, in view of the universal nature of the agreement, the Secretary-General of the United Nations should be given a depositary role.

(9) Addition of a provision concerning review conferences

372. The delegation of the Soviet Union (CCD/PV.726) noted that the provisions relating to the review conference (draft article VIII) had been worked out as the result of constructive efforts to reach mutually acceptable decisions, and the taking into account, by those engaged in the negotiations, of the interests and points of view of the various States. A considerable number of delegations, including those of the Netherlands (CCD/PV.692), the United Kingdom (CCD/PV.695), Iran (CCD/PV.697), Canada (CCD/PV.699), Japan (CCD/PV.699), Egypt (CCD/PV.701), Yugoslavia (CCD/PV.701), Mongolia (CCD/PV.702), Romania (CCD/PV.703), Bulgaria (CCD/PV.703) and India (CCD/PV.710) held that a provision for review conferences should be included in the proposed convention. Bulgaria and Mongolia specifically favoured the provision of this type which had been included in the Soviet draft convention. The delegations of Canada and the Netherlands noted, in particular, that developments in the field were unpredictable and should be followed by regular review conferences. The delegations of Canada, Japan and the United Kingdom, however, thought that such conferences should be convened only at the request of a majority of the Parties. The delegation of the United Kingdom thought there should be three to ten years between conferences, while Canada said they should be held at least every ten years.

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373. As mentioned in paragraph 8 above, the Committee established a Working Group of the Committee for the purpose of considering any modifications of the identical texts of a draft covention on the prohibition of military or any other hostile use of environmental modification techniques, submitted by the delegations of the Soviet Union and the United States as CCD/471 and CCD/472 respectively, that any delegation might propose and of facilitating the negotiations of the text of an agreement.

374. The Working Group on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques held 29 informal meetings between 2 July and 1 September 1976, with the participation of all members who attended the 1976 session of the CCD, and submitted its report to the Committee (CCD/518). During the deliberations in the Working Group some modifications to the text were proposed by various delegations. Some proposals were withdrawn. Some amendments were incorporated as proposed. Some proposals were modified and then agreed to. Some other proposals were not agreed to.

375. At the 727th meeting on 3 September 1976, the Committee considered the report of the Working Group containing the draft convention, as well as comments, dissenting views and reservations thereon, which is transmitted to the United Nations General Assembly and the United Nations Disarmament Commission as an annex to this report (annex A).

376. At the 726th and 727th meetings some delegations addressed themselves again to the subject.

377. The delegation of the Soviet Union commented on a number of articles and provisions of the draft convention. It noted that article V contained important provisions for the settlement of possible situations of conflict connected with questions of the implementation of the convention by States party to it. The article provided for the establishment of a consultative committee of experts, open to all States party to the convention, whose task was to assist those States in the solution of any problems which might arise in connexion with the objectives or implementation of the convention. The State concerned had, if necessary, a sufficiently broad range of action, including bilateral consultation and co-operation, application to existing international organizations within the framework of the United Nations for consultation, convening of the consultative committee of experts and, finally, application to the Security Council. The State itself determined which of those possibilities it wished to use. A corresponding annex to the convention, relating to article V, on the functions and rules of procedure of the committee of experts had also been drawn up. It clearly outlined the committee's sphere of competence with regard to fact-finding, without the adoption of any decisions on the subject of the problem which had arisen. The annex also provided for certain machinery to facilitate the committee's work, including the possibility of requesting from States and from international organizations information and assistance which would be desirable for the accomplishment of the committee's work. The delegation further explained that the assistance to those harmed as a result of violation of the convention, mentioned in article V, paragraph 5, meant medical, rescue and other humanitarian measures. Measures designed to ensure the security of a country which has been attacked could be taken, as stipulated in Chapter VII of the Charter of the United Nations. The convention did not exclude assistance on the basis of other agreements and circumstances corresponding to the Charter. The object and scope of the prohibition were defined in article I, the delegation continued. The words "widespread, long-lasting or severe effects" indicated the basic characteristics of the scope of the prohibition. The choice of that

definition was due above all to the fact that those were the types of effect which presented the main danger and therefore constituted the crux of the problem under discussion. The delegation pointed out that article II of the draft was a logical supplement to article I, for it explained the meaning of the term "environmental modification techniques". The text drew attention to the principle of modification, based on the deliberate manipulation of natural processes. The Committee's agreed understanding gave an illustrative enumeration of specific phenomena which had been chosen very carefully. The purpose of the enumeration was to give a specific idea of what was really referred to in the convention. The delegation recalled that during the consideration of the question of examples, some delegations had proposed the inclusion of that enumeration of examples in an annex to the convention. The delegation had not objected to that procedure, but owing to certain difficulties that had arisen in connexion with the status of such an annex it had been deemed desirable to delete the enumeration from article II and to provide an agreed understanding of the enumeration of examples separately. Some additional provisions had been included in the preamble which took into account the points of view of all members of the Committee and which had helped to find mutually acceptable decisions on articles I, II and III of the draft. With regard to article III of the draft, it had been decided, on the basis of the proposal made by certain delegations, to include in that article, as a separate paragraph, a provision, similar to paragraph 1 of article X of the bacteriological Convention, on co-operation between States in the field of the peaceful use of environmental modification techniques. During the discussion of that article, some delegations had spoken in favour of including in it specific provisions which would regulate international co-operation in that sphere and would in fact provide specific obligations for States in connexion with such co-operation. However, it had been found that the inclusion of such provisions in the convention would be unjustified, since the subject of the convention and its entire conception consisted in the prohibition of military or any other hostile use of environmental modification techniques, and not in the regulation of problems of the peaceful use of such techniques. Those problems constituted quite a different subject. The delegation emphasized that the other articles and provisions of the convention, including those on conferences to review its operation, had also been elaborated as a result of a constructive search for mutually acceptable decisions in which participants in the negotiations had taken the interests and view of various States into account. The delegation announced that the Government of the Union of Soviet Socialists Republics gave its agreement to the approval of the convention on the prohibition of military or any other hostile use of environmental modification techniques, prepared by the Committee on Disarmament, together with the annex thereto, and also of the text of the agreed understanding of the Committee on Disarmament relating to articles I, II, III and VIII of that convention.

378. The delegation of Argentina stated that, although progress had been achieved in some texts of the draft convention, articles I and II and the understandings reached in their regard had not modified the original scope of the prohibition. In view of the importance of this question, the delegation could not accept the draft convention (CCD/PV.727).

379. The delegation of Mexico (CCD/PV.727) fully reserved its freedom of position and action in the General Assembly with regard to the draft convention reproduced in document CCD/518 for the reasons set forth in its "Working paper on the scope of a prohibition of military or any other hostile use of environmental modification techniques" (CCD/516).

380. The delegation of the Federal Republic of Germany noted with satisfaction that agreement had been reached by and large on a text of the draft convention. Although the Federal Government was not yet in a position to make any final comment, the delegation wanted to state its preliminary position on three points. As the Federal Government attributed great importance to the clear definition of the scope and criteria of the prohibition, it would have preferred to see the explanatory commentary become an integral part of the convention. It regarded the "understanding" as an authentic interpretation pertaining to article I, belonging to the final adoption of the convention. With regard to article III, the delegation stressed the importance the Federal Government attached to the international exchange of information in all fields and the support the Federal Republic of Germany gave to international economic, scientific and technological co-operation, which it was constantly endeavouring to expand. The delegation emphasized, however, that the legal and practical problems involved in international co-operation in the peaceful use of environmental modification techniques could not be dealt with in an arms control agreement and that the settlement of specific questions relating to the transfer of technology required in each case special agreements between the countries and organizations (such as UNCTAD, UNIDO and WIPO). Referring to Article V, the delegation remarked that the Federal Government regarded the provisions of this article and of the annex thereto, relating to the complaints procedure, as an important and indispensable improvement, though it did not want to imply thereby that it considered it a model solution for future arms control agreements (CCD/PV.727).

381. The delegation of Italy stated that the consultative committee of experts, provided for in the annex to article V, could hardly perform its function, since its deliberations did not appear likely to have practical impact on the decisions of the Security Council (CCD/PV.727).

382. The delegation of Brazil said it did not oppose the submission of the draft convention to the General Assembly for its consideration, but reiterated its reservation on the draft understanding relating to article I (CCD/PV.727).

383. The delegation of Morocco (CCD/PV.727) said it had no objection to transmitting the draft convention to the General Assembly at its thirty-first session, but would reserve its right to comment on it during that session.

384. The delegation of Yugoslavia (CCD/PV.727) reiterated the reservation of its position, as recorded in the Report of the Working Group (CCD/519, attached as Annex A).

385. The delegation of Pakistan (CCD/PV.727) also reiterated its comments on the draft convention made in the final meeting of the Working Group, as recorded in the Report of the Group (CCD/519 and Annex A).

386. The delegation of Ethiopia (CCD/PV.727) reiterated the position of its Government on the modified text of the draft convention (CCD/PV.727).

387. The delegation of the United States, stating its support for the draft convention worked out in the Working Group on environmental modification, held that the approach in that text, as in the text tabled by the co-sponsors in August 1975, would effectively eliminate whatever serious dangers might be posed by military or any other hostile use of environmental modification techniques. The low threshold of applicability of the prohibition in article I raised a strong practical inhibition against any hostile use of such techniques having, or that would be expected to have, effects anywhere near the threshold criteria. Also, contrary to an apparent misconception, the treaty was not permissive with respect to hostile use of environmental modification techniques to produce any of the phenomena listed illustratively in the agreed Committee understanding relating to article II. In fact, any such use would be violative of the undertaking in article I because it would be assumed to be intended to cause effects above the threshold. The delegation observed that the draft text being transmitted to the General Assembly reflected

significant accommodation of the co-sponsors' positions to views stated by others, both in the plenary and in the Working Group. This was to be expected in any genuine multilateral negotiating process, and all who had participated in the Committee's and Working Group's work deserved to share in gratification over the successful production of a complete text. The delegation of the United States thought, therefore, that most delegations would join in the conclusion that the modified draft was a document worthy of endorsement by the General Assembly (CCD/PV.727).

* * *

The Committee decided to reconvene on 15 February 1977 unless subsequently agreed otherwise.

The present report is transmitted by the Co-Chairmen on behalf of the Conference of the Committee on Disarmament.

(Signed) V.I. LIKHATCHEV
Union of Soviet Socialist Republics

(Signed) Joseph MARTIN (Jr.)
United States of America

ANNEX A

REPORT OF THE WORKING GROUP ON THE PROHIBITION OF MILITARY OR ANY OTHER HOSTILE USE OF ENVIRONMENTAL MODIFICATION TECHNIQUES TO THE PLENARY OF THE CCD

1. On 1 July 1976, the Conference of the Committee on Disarmament (CCD/PV.708) established, for 1976, a Working Group of the CCD, for the purpose of considering any modifications of the identical texts of a Draft Convention on the Prohibition of Military or any Other Hostile Use of Environmental Modification Techniques, submitted on 21 August 1975 by the delegations of the Soviet Union and the United States as CCD/471 and CCD/472 respectively, that any delegation might propose and of facilitating the negotiation of the text of an agreement.

2. The Working Group held 29 meetings between 2 July and 1 September 1976, in which all the members attending the 1976 session of the CCD participated. In addition, various delegations held informal consultations amongst themselves over the same period on matters related to the Draft Convention.

3. During its deliberations the Working Group considered modifications proposed by various delegations to the identical texts of the Draft Convention contained in documents CCD/471 and CCD/472. There was agreement on many of these modifications but no agreement on others.

4. The text of the Draft Convention, as modified, is reproduced in the following paragraph. The comments of some delegations on this text, as well as dissenting views or reservations, are given in paragraphs 6 to 19.

5. DRAFT CONVENTION ON THE PROHIBITION OF MILITARY OR ANY OTHER HOSTILE USE OF ENVIRONMENTAL MODIFICATION TECHNIQUES

The States Parties to this Convention,

Guided by the interest of consolidating peace, and wishing to contribute to the cause of halting the arms race, and of bringing about general and complete disarmament under strict and effective international control, and of saving mankind from the danger of using new means of warfare,

Determined to continue negotiations with a view to achieving effective progress towards further measures in the field of disarmament, Recognizing that scientific and technical advances may open new possibilities with respect to modification of the environment,

Recalling the Declaration of the United Nations Conference on the Human Environment adopted in Stockholm on 16 June 1972,

Realizing that the use of environmental modification techniques for peaceful purposes could improve the inter-relationship of man and nature and contribute to the preservation and improvement of the environment for the benefit of present and future generations,

Recognizing, however, that military or any other hostile use of such techniques could have effects extremely harmful to human welfare,

Desiring to prohibit effectively military or any other hostile use of environmental modification techniques in order to eliminate the dangers to mankind from such use, and affirming their willingness to work towards the achievement of this objective,

Desiring also to contribute to the strengthening of trust among nations and to the further improvement of the international situation in accordance with the purposes and principles of the Charter of the United Nations,

Have agreed as follows:

ARTICLE I

1. Each State Party to this Convention undertakes not to engage in military or any other hostile use of environmental modification techniques having widespread, long-lasting or severe effects as the means of destruction, damage or injury to any other State Party.

2. Each State Party to this Convention undertakes not to assist, encourage or induce any State, group of States or international organization to engage in activities contrary to the provisions of paragraph 1 of this Article.

ARTICLE II

As used in Article I, the term "environmental modification techniques" refers to any technique for changing -- through the deliberate manipulation of natural processes -- the dynamics, composition or structure of the Earth, including its biota, lithosphere, hydrosphere, and atmosphere, or of outer space.

ARTICLE III

1. The provisions of this Convention shall not hinder the use of environmental modification techniques for peaceful purposes and shall be without prejudice to generally recognized principles and applicable rules of international law concerning such use.

2. The States Parties to this Convention undertake to facilitate, and have the right to participate in, the fullest possible exchange of scientific and technological information on the use of environmental modification techniques for peaceful purposes. States Parties in a position to do so shall contribute, alone or together with other States or international organizations, to international economic and scientific co-operation in the preservation, improvement and peaceful utilization of the environment, with due consideration for the needs of the developing areas of the world.

ARTICLE IV

Each State Party to this Convention undertakes to take any measures it considers necessary in accordance with its constitutional processes to prohibit and prevent any activity in violation of the provisions of the Convention anywhere under its jurisdiction or control.

ARTICLE V

1. The States Parties to this Convention undertake to consult one another and to co-operate in solving any problems which may arise in relation to the objectives of, or in the application of the provisions of, the Convention. Consultation and co-operation pursuant to this Article may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with its Charter. These international procedures may include the services of appropriate international organizations, as well as of a Consultative Committee of Experts as provided for in paragraph 2 of this Article.

2. For the purposes set forth in paragraph 1 of this Article, the Depositary shall, within one month of the receipt of a request from any State Party, convene a Consultative Committee of Experts. Any State Party may appoint an expert to this Committee whose functions and rules of procedure are set out in the Annex, which constitutes an integral part of this Convention. The Committee shall transmit to the Depositary a summary of its findings of fact, incorporating all views and information presented to the Committee during its proceedings. The Depositary shall distribute the summary to all States Parties.

3. Any State Party to this Convention which has reasons to believe that any other State Party is acting in breach of obligations deriving from the provisions of the Convention may lodge a complaint with the Security Council of the United Nations. Such a complaint should include all relevant information as well as all possible evidence supporting its validity.

4. Each State Party to this Convention undertakes to co-operate in carrying out any investigation which the Security Council may initiate, in accordance with the provisions of the Charter of the United Nations, on the basis of the complaint received by the Council. The Security Council shall inform the States Parties to the Convention of the results of the investigation.

5. Each State Party to this Convention undertakes to provide or support assistance, in accordance with the provisions of the Charter of the United Nations, to any Party to the Convention which so requests, if the Security Council decides that such Party has been harmed or is likely to be harmed as a result of violation of the Convention.

ARTICLE VI

1. Any State Party may propose amendments to this Convention. The text of any proposed amendment shall be submitted to the Depositary who shall promptly circulate it to all States Parties.

2. An amendment shall enter into force for all States Parties which have accepted it, upon the deposit with the Depositary of instruments of acceptance by a majority of States Parties. Thereafter it shall enter into force for any remaining State Party on the date of deposit of its instrument of acceptance.

ARTICLE VII

This Convention shall be of unlimited duration.

ARTICLE VIII

1. Five years after the entry into force of this Convention, a conference of the States Parties to the Convention shall be convened by the Depositary in Geneva, Switzerland. The Conference shall review the operation of the Convention with a view to ensuring that its purposes and provisions are being realized, and shall in particular examine the effectiveness of the provisions of paragraph 1 of Article I in eliminating the dangers of military or any other hostile use of environmental modification techniques.

2. At intervals of not less than five years thereafter, a majority of the States Parties to this Convention may obtain, by submitting a proposal to this effect to the Depositary, the convening of a conference with the same objectives.

3. If no review conference has been convened pursuant to paragraph 2 of this Article within ten years following the conclusion of a previous review conference, the Depositary shall solicit the views of all States Parties to this Convention on the holding of such a conference. If one-third or ten of the States Parties, whichever number is less, respond affirmatively, the Depositary shall take immediate steps to convene the conference.

ARTICLE IX

1. This Convention shall be open to all States for signature. Any State which does not sign the Convention before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.

2. This Convention shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Secretary-General of the United Nations.

3. This Convention shall enter into force upon the deposit with the Depositary of instruments of ratification by twenty Governments in accordance with paragraph 2 of this Article.

4. For those States whose instruments of ratification or accession are deposited after the entry into force of this Convention, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession and the date of the entry into force of this Convention and of any amendments thereto, as well as of the receipt of other notices.

6. This Convention shall be registered by the Depositary in accordance with Article 102 of the Charter of the United Nations.

ARTICLE X

This Convention, of which the Arabic, Chinese, English, French, Russian, and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations who shall send certified copies thereof to the Governments of the signatory and acceding States.

In witness whereof, the undersigned, duly authorized thereto, have signed this Convention.

Done at .... On ....

ANNEX

Consultative Committee of Experts

1. The Consultative Committee of Experts shall undertake to make appropriate findings of fact and provide expert views relevant to any problem raised pursuant to paragraph 1 of Article V of this Convention by the State Party requesting the convening of the Committee.

2. The work of the Consultative Committee of Experts shall be organized in such a way as to permit it to perform the functions set forth in paragraph 1 of this Annex. The Committee shall decide procedural questions relative to the organization of its work where possible by consensus but otherwise by a majority of those present and voting. There shall be no voting on matters of substance.

3. The Depositary or his Representative shall serve as the Chairman of the Committee.

4. Each expert may be assisted at meetings by one or more advisers.

5. Each expert shall have the right, through the Chairman, to request from States, and from international organizations, such information and assistance as the expert considers desirable for the accomplishment of the Committee's work.

UNDERSTANDINGS

Understanding relating to Article I

It is the understanding of the Committee that, for the purposes of this Convention, the terms "widespread", "long-lasting" and "severe" shall be interpreted as follows:

(a) "widespread": encompassing an area on the scale of several hundred square kilometres;

(b) "long-lasting": lasting for a period of months, or approximately a season;

(c) "severe": involving serious or significant disruption or harm to human life, natural and economic resources or other assets.

It is further understood that the interpretation set forth above is intended exclusively for this Convention and is not intended to prejudice the interpretation of the same or similar terms if used in connexion with any other international agreement.

Understanding relating to Article II

It is the understanding of the Committee that the following examples are illustrative of phenomena that could be caused by the use of environmental modification techniques as defined in Article II of the Convention: earthquakes; tsunamis; an upset in the ecological balance of a region; changes in weather patterns (clouds, precipitation, cyclones of various types and tornadic storms); changes in climate patterns; changes in ocean currents; changes in the state of the ozone layer; and changes in the state of the ionosphere.

It is further understood that all the phenomena listed above, when produced by military or any other hostile use of environmental modification techniques, would result, or could reasonably be expected to result, in widespread, long-lasting or severe destruction, damage or injury. Thus, military or any other hostile use of environmental modification techniques as defined in Article II, so as to cause those phenomena as a means of destruction, damage or injury to another State Party, would be prohibited.

It is recognized, moreover, that the list of examples set out above is not exhaustive. Other phenomena which could result from the use of environmental modification techniques as defined in Article II could also be appropriately included. The absence of such phenomena from the list does not in any way imply that the undertaking contained in Article I would not be applicable to those phenomena, provided the criteria set out in that Article were met.

Understanding relating to Article III

It is the understanding of the Committee that this Convention does not deal with the question whether or not a given use of environmental modification techniques for peaceful purposes is in accordance with generally recognized principles and applicable rules of international law.

Understanding relating to Article VIII

It is the understanding of the Committee that a proposal to amend the Convention may also be considered at any Conference of Parties held pursuant to Article VIII. It is further understood that any proposed amendment that is intended for such consideration should, if possible, be submitted to the Depositary no less than 90 days before the commencement of the Conference.

6. The delegation of Argentina stated that, although it would not object to the consensus on transmitting the report of the Working Group to the plenary, it wished to place on record that it could not accept the Draft Convention on the Prohibition of Military or any Other Hostile Use of Environmental Modification Techniques on account of its well-known objections regarding Article I, paragraph 1 and Article II and their understandings, repeatedly expressed in the plenary meetings of the CCD and in the Working Group. The delegation also reserved the right to revert to these important matters in the plenary of the CCD and at the General Assembly of the United Nations when this draft Convention was considered.

7. The delegation of Mexico stated that, for the reasons explained at the 724th meeting of the CCD, the delegation considered that the wording of Article I of the Draft Convention on the Prohibition of Military or any Other Hostile Use of Environmental Modification Techniques, which had originated from the identical texts submitted in August 1975 by the delegations of the United States and the Soviet Union, was totally unacceptable. It was convinced that, if the desire was that the General Assembly of the United Nations should be able to recommend this text to the Member States, it was essential to delete the qualifying phrase "having widespread, long-lasting or severe effects". That would at least avert the danger that the provisions of paragraph 1, albeit much inferior to those of the original USSR text of 1974, might legitimize many acts of environmental warfare.

8. The delegation of India stated that it supported the transmittal to the plenary of the Draft Convention which had just been negotiated. However, this support was at the delegation level only. The delegation had not had enough time to obtain the final instructions of the Government of India. Thus, the delegation of India reserved its right to offer final comments at a later stage.

9. The delegation of Brazil stated that it was its understanding that the Draft Understanding relating to Article I would not be included as an annex to the Draft Convention, but would be recorded in the report of the CCD to the General Assembly. The delegation of Brazil would prefer this second alternative. In any case the delegation reserved the position of the Brazilian Government on this subject. The reservation was of a substantive nature because, as already stated by the delegation in the course of the debates, it considered the above-mentioned interpretations definitely not satisfactory. In spite of this formal reservation, the Brazilian delegation would not oppose a consensus to submit the Draft Convention to the consideration of the General Assembly.

10. The Yugoslav delegation said it was not satisfied from the beginning with the scope and some other provisions of the text of the Draft Convention. It had put on record some of its requests for amendments to the text of the Draft Convention and had given support to a number of other amendments and suggestions put forth by other delegations. In the process of negotiation in the Working Group, there had been improvements of the text of the Draft Convention, including acceptance of some amendments by the Yugoslav delegation. The delegation found those modifications useful. However, until now the Yugoslav delegation had received no instruction from its Government in regard to the acceptance or non-acceptance of the Draft Convention as a whole. For that reason it wished to state for the record, without prejudging any decision that the Yugoslav Government might take, that on the delegation level it would not object to the consensus in the Working Group in respect to the transmittal of its report to the CCD. It wished also to reserve the right of the Yugoslav Government and the delegation to state their views in respect of the Draft Convention at a later date.

11. At the delegation level, the delegation of the Federal Republic of Germany welcomed the results of the negotiations of the Working Group. Considering the short interval between the termination of these negotiations and the presentation of the report of the Working Group to the CCD, there had not been sufficient time for the Government of the Federal Republic of Germany to examine the draft in a thorough manner. Thus, on behalf of the Government of the Federal Republic of Germany, the delegation reserved the right to further comment on the draft at later stages.

12. The delegation of the Netherlands could, in general, accept the text of the Draft Convention. The Netherlands Government reserved its right to make comments on the Draft Convention during the 1976 session of the General Assembly of the United Nations.

13. The delegation of Pakistan said it was still awaiting firm instructions from its Government and, therefore, was not in a position to give definitive views on the Draft Convention. It would like, however, to put on record its views on some of the provisions of the draft. Regarding Article I, it felt that the phrase "having widespread, long-lasting or severe effects" would not only limit the scope of the prohibition but would render its interpretation difficult. The delegation failed to understand why, in a situation in which exception had already been made in respect of use of environmental modification techniques for "peaceful purposes", "hostile use" of these techniques below a certain threshold should be

sanctioned at the same time. In spite of this, the delegation had stated that it would not press for the exclusion of the words "widespread, long-lasting or severe", provided they were defined in a manner that was both precise and realistic, so as to avoid misinterpretation and to take into account the damage that could be suffered by a State. In the present draft such definitions had been relegated into an Understanding of the Committee, the status of which was unclear, so that doubts could be entertained about its effectiveness. In respect of the Understanding of the Committee relating to Article II, the delegation of Pakistan would like to add its own understanding that the phrase "ecological balance" encompassed the region's hydrological balance as well. With regard to Article III about the use of environmental modification techniques for peaceful purposes, the delegation of Pakistan wished to reiterate that it would be necessary to verify such peaceful uses, in order to ensure that they were indeed peaceful and could not be diverted to hostile uses. The delegation would have also preferred if the Draft Convention had included a provision on the obligation of States to ensure that their use of environmental modification techniques for peaceful purposes would not result in adverse effects for other States. Regarding Article V, the delegation would be prepared, in principle, to accept the Article as drafted, subject to further technical examination. However, it continued to entertain doubts whether the modalities of a Consultative Committee of Experts would be effective in preventing violations of the Convention. For this purpose, it would have been better to create a machinery which could effectively prevent any threatened violations of the Convention. In conclusion, the delegation of Pakistan would not object, at the delegation level, to a consensus on transmitting the report of the Working Group to the plenary. The delegation, however, reserved the right to offer comments at a later date.

14. The delegation of Romania expressed its satisfaction for the working atmosphere that had generally prevailed during the proceedings in the Working Group. At the same time, it noted that a number of important issues had not been given in the Working Group the thorough consideration they deserved and not enough efforts had been made to accommodate the views of all delegations. The fact that the Draft Convention, as modified, still presented insurmountable difficulties for a number of delegations raised a serious problem, the consequence being that the Convention, conceived to be truly international, failed from its very inception to respond to the interests of all nations. Regarding the Preamble of the

Draft Convention, the delegation of Romania reiterated the importance it attached to the commitment by all States Parties to continue negotiations, in order to achieve further effective measures in the field of disarmament. It regarded this provision as a minimal satisfaction to be given to those delegations which considered that, in view of the hypothetical nature of the environmental modification techniques, the immediate value of the Convention consisted primarily in the future action that it might be able to stimulate in other fields of disarmament. In this connexion the Romanian delegation held that paragraph 2 of the Preamble considerably limited the scope of the impact that the Convention might have for further disarmament measures, by failing to mention the priority to be given to nuclear disarmament. On Article I, the delegation of Romania reiterated the strong preference it had expressed during the deliberations of the Working Group for a Convention which was comprehensive in its scope, prohibiting the military use of all environmental modification techniques. It was its understanding, therefore, that, should the Convention remain unchanged, Article VIII of the present draft included a definite commitment by all States Parties to keep the question of the scope of the Convention under constant observation and also to take advantage of the First Review Conference, in order to engage in concrete negotiations with a view to banning those environmental modification techniques which remained below the level of magnitude established by the Draft Convention in its present form. On Article V, the delegation held that, although in its present form Article V had been much improved as compared with its initial version, it still maintained the central role of the Security Council in deciding in the future on any complaint, in case of possible violations of the Convention. In this connexion, the delegation of Romania considered that the system of verification and control to be provided for any international convention should be based on the equal protection of all Parties and on their equal participation in any complaint procedures. It was its understanding, therefore, that should such cases of possible violations of the Convention arise in the future, the above principle must be fully observed. Finally, as regards the question of the transmission of the Draft Convention to the General Assembly, the delegation of Romania stated its position to the effect that the transmission of the Draft Convention should be fully consistent with the rules of procedure under which the CCD presently worked.

15. The Italian delegation approved the transmission of the modified text of the Draft Convention by the Working Group to the CCD, but reserved its right to comment on it at a later stage, pending the final position of the Italian Government on the same text. The Italian delegation stated that in Article II of the Draft Convention the words "or affecting" should be added after the word "changing", to make it clear that the provision of paragraph 1 of Article I also applied to the deliberate use of any technique which would have an adverse influence, other than a change, in the dynamics, composition or structure of the Earth, etc. The Italian delegation also held the view that Article III should contain a provision establishing the responsibility of States Parties for damages or injuries deriving from the use of environmental modification techniques for peaceful purposes. It stated that such a provision would, _inter alia_, greatly help to prevent that prohibited activities under the Draft Convention might actually be disguised as peaceful ones.

16. The Ethiopian delegation reserved the position of the Ethiopian Government on the modified text of the Draft Convention. However, this should not be taken to imply that the Ethiopian delegation opposed the forwarding of the draft text to the CCD and eventually to the General Assembly of the United Nations.

17. The delegations of the United States and the Soviet Union were of the view that the complete draft text of a convention on the prohibition of military or any other hostile use of environmental modification techniques, resulting from the proceedings of the Working Group, represented a considerable accomplishment. They noted that a large majority of delegations shared this view. They also observed that the draft was significantly modified from the identical drafts which were tabled in the CCD in August 1975; this reflected accommodation of the co-sponsors' positions to views stated by others in the Working Group and the CCD itself. Both delegations were gratified that a broadly agreed text was worked out in a genuinely multilateral process. The Soviet and American delegations were further of the view that the modified draft text would accomplish the main objective of effectively eliminating the real dangers of military or any other hostile use of environmental modification techniques. Accordingly, they recommended that the CCD accept the text as forwarded to the Committee in this report.

18. The Egyptian delegation recalled that it had already expressed its views on the subject of the Draft Convention at the 701st meeting of the CCD and in the meetings of the Working Group. The delegation would like to reserve its position on the following Articles and also reserve its right to make further comments on the Draft Convention at later stages. With regard to Article I, the delegation of Egypt (a) believed in the addition of the words "or threat of use" after the word "use" in paragraph 1; (b) preferred a reference to "hostile" uses of environmental modification techniques without mentioning the word "military" in the same paragraph; (c) supported the deletion of the word "Party" at the end of the same paragraph. Concerning the scope of the prohibition of the use of environmental modification techniques, the delegation would prefer the deletion of the words "having widespread, long-lasting or severe effects." Concerning Article II, the delegation of Egypt had supported the Italian proposal concerning the addition of the words "or affecting" after the word "changing". Concerning Article III, the delegation had noted that no mention was made in the Article about the liability of States Parties concerning the peaceful use of environmental modification techniques which might cause damage or injury to any other State, a principle already applicable in the field of international law. In spite of these comments, the delegation of Egypt remained convinced of the usefulness and value of the Draft Convention. It had made its comments in a constructive spirit, with a view not to be an obstacle of any kind to whatever agreement could be reached within the Working Group.

19. The Swedish delegation said that its Government was in general agreement with the text of the amended Draft Convention. The Swedish Government reserved its right to make comments on the amended Draft Convention in the General Assembly of the United Nations.

ANNEX B

LIST OF WORKING PAPERS AND OTHER DOCUMENTS

On 17 February 1976, the Secretary-General of the United Nations transmitted to the Co-Chairmen a letter containing the resolutions of the General Assembly on disarmament (CCD/478).

On 24 February 1976, the representative of Sweden submitted comments on the draft convention on the "Prohibition of military or any other hostile use of environmental modification techniques " (CCD/471, CCD/472) made in a statement by Mrs. Inga Thorsson in the First Committee of the United Nations General Assembly, 14 November, 1975 (CCD/479 -- issued in English only as 479*).

On 20 February 1976, the Special Representative of the Secretary-General submitted a letter dated 20 February 1976 from the Permanent Representative of Australia to the Special Representative of the Secretary-General transmitting the text of a statement on environmental modification made by the Australian Representative in the First Committee of the United Nations General Assembly of 24 November 1975 (CCD/480).

On 26 March 1976, the representative of Sweden submitted a document on the test ban issue (CCD/481).

On 26 March 1976, the representative of Sweden submitted a working paper on co-operative international measures to monitor a CTB (CCD/482).

On 8 April 1976, the representative of Japan submitted a working paper on the question of chemical warfare agents to be prohibited by the convention on the prohibition of chemical weapons (CCD/483).

On 9 April 1976, the Special Representative of the Secretary-General submitted a letter dated 8 April 1976 from the Charge d'Affaires a.i. of Norway to the Special Representative of the Secretary-General to the Conference of the Committee on Disarmament transmitting a working paper on some new results in seismic discrimination (CCD/484).

On 9 April 1976, the representative of Sweden submitted a working paper on some aspects of on-site verification of the destruction of stockpiles of chemical weapons (CCD/485).

On 12 April 1976, the representative of the United Kingdom submitted a working paper on the United Kingdom's contribution to research on seismological problems relating to underground nuclear tests (CCD/486 and Corr.1).

On 12 April 1976, the representative of the United Kingdom submitted a working paper on the processing and communication of seismic data to provide for national means of verifying a test ban (CCD/487 and Corr.1).

On 12 April 1976, the representative of the United Kingdom submitted a working paper on the recording and processing of P waves to provide seismograms suitable for discriminating between earthquakes and underground explosions (CCD/488).

On 13 April 1976, the representative of Japan submitted a working paper on the estimation of focal depth by pP and sP phases (CCD/489).

On 20 April 1976, the representative of Canada submitted a document on the verification of a comprehensive test ban by seismological means (CCD/490).

On 20 April 1976, the representative of the United States of America submitted a document on the current status of research in seismic verification (CCD/491).

On 21 April 1976, the representative of the United Kingdom submitted the text of a statement on a comprehensive test ban made by Mr. Fakley at an informal meeting of the Committee on Tuesday, 20 April 1976 (CCD/492).

On 26 April 1976, the representative of Japan submitted a working paper containing a statement by Dr. Shigeji Suyehiro at the informal meetings with participation of experts on a comprehensive test ban on 20 April 1976 (CCD/493).

On 8 June 1976, the representative of Japan submitted the text of a statement of the Government of Japan on the occasion of the depositing of its instruments of ratification of the Treaty on the Non-Proliferation of Nuclear Weapons, 8 June 1976 (CCD/494).

On 24 June 1976, the representative of Sweden submitted a document on terms of reference for a group of scientific governmental experts to consider international co-operative measures to detect and identify seismic events (CCD/495).

On 23 June 1976, the representatives of the United States of America and the Union of Soviet Socialist Republics submitted the text of a Treaty between the United States of America and the Union of Soviet Socialist Republics on underground nuclear explosions for peaceful purposes (CCD/496 -- issued in Russian only as 496* and Corr.1 (in English and Russian only)).

On 29 June 1976, the representative of the United States of America submitted a document on verification of destruction of declared stocks of chemical warfare agents (CCD/497).

On 29 June 1976, the representative of the United States of America submitted a document on the use of seals and monitoring devices in CW verification (CCD/498).

On 29 June 1976, the representative of the United States of America submitted a document on review of proposals for defining chemical warfare agents in a CW agreement (CCD/499).

On 1 July 1976, a document containing the text of a decision on certain procedural aspects of the work of the Conference of the Committee on Disarmament for 1976 and on organization of work for 1977 (adopted at the 708th meeting of the Conference on 1 July 1976) was circulated to the members of the Committee (CCD/500 -- issued as 500* in Spanish only).

On 2 July 1976, the Special Representative of the Secretary-General submitted a letter dated 1 July 1976 from the Ambassador in charge of political affairs at the Permanent Mission of Finland to the Special Representative of the Secretary-General to the Conference of the Committee on Disarmament transmitting a working paper by the Government of Finland on methodology for chemical identification of CW agents and related compounds -- progress of a Finnish research project (CCD/501).

On 2 July 1976, the representative of the United Kingdom submitted a working paper on the feasibility of extraterritorial surveillance of chemical weapon tests by air monitoring at the border (CCD/502 and Corr.1 (in English only))

On 5 July 1976, the representative of Yugoslavia submitted a document on medical protection against nerve gases poisoning (present situation and future possibilities) (CCD/503).

On 5 July 1976, the representative of Yugoslavia submitted a document on a method of categorization of chemical compounds regarding binary technology (CCD/504).

On 5 July 1976, the representative of Yugoslavia submitted a working paper on the definition of chemical warfare agents (CWA) (CCD/505).

On 6 July 1976, the representative of the German Democratic Republic submitted a document on the catalytic detoxification of organophosphorus CW agents (CCD/506).

On 7 July 1976, the Special Representative of the Secretary-General submitted a letter dated 25 May 1976 from Mr. David A. Munro of the United Nations Environment Programme (UNEP) to the Special Representative of the Secretary-General transmitting a decision by the Governing Council of UNEP concerning a study of the problem of the material remnants of wars, particularly mines, and their effect on the environment (CCD/507).

On 8 July 1976, the representative of Czechoslovakia submitted a document on some medical aspects of the CW problem and its perspectives (CCD/508).

On 28 July 1976, the Special Representative of the Secretary-General submitted a letter dated 28 July 1976 from Mr. Leif Blomqvist of the Permanent Mission of Finland to the Special Representative of the Secretary-General to the Conference of the Committee on Disarmament transmitting a working paper by the Government of Finland on Finnish capabilities of seismological detection of underground nuclear explosions (CCD/509).

On 3 August 1976, the representative of Nigeria submitted a working paper on the conclusions of the mid-term review of the Disarmament Decade (CCD/510).

On 3 August 1976, the representative of the Union of Soviet Socialist Republics submitted a draft agreement on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons (CCD/511).

On 6 August 1976, the representative of the United Kingdom of Great Britain and Northern Ireland submitted a draft convention on the prohibition of the development, production and stockpiling of chemical weapons and on their destruction (CCD/512 and Corr.1 (in English and Russian only)).

On 6 August 1976, the Ad Hoc Group of Scientific Experts established by the Committee to consider international co-operative measures to detect and to identify seismic events submitted its first progress report to the Committee (CCD/513).

On 10 August 1976, the representative of the Union of Soviet Socialist Republics submitted a document on definitions of new types of weapons of mass destruction and new systems of such weapons (CCD/514).

On 17 August 1976, the representative of Japan submitted a working paper containing a draft of one form of LD50 spectrum (CCD/515).

On 31 August 1976, the representative of Mexico submitted a working paper on the scope of a prohibition of military or any other hostile use of environmental modification techniques (CCD/516).

On 1 September 1976, the Working Group on the Prohibition of Military or any Other Hostile Use of Environmental Modification Techniques considered its Draft Report to the Plenary of the CCD (CCD/517).

On 1 September 1976, the Working Group on the Prohibition of Military or any Other Hostile Use of Environmental Modification Techniques submitted its Report to the Plenary of the CCD (CCD/518).

ANNEX C

Texts of Working Papers

All the working papers are contained in Addendum 1 to this Report (CCD/520/Add.1).

ANNEX D

Verbatim Records

The verbatim records of the CCD meetings held in 1976 (CCD/PV.688 to 727) will be made available in New York to delegations of Member States of the United Nations as a separate annex to this report.

ANNEX E

Index of PVs of the 1976 Session of the CCD, by country and subject

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